

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

**This meeting
will be filmed.***



**Central
Bedfordshire**

please ask for Leslie Manning

direct line 0300 300 5132

date 20 June 2017

NOTICE OF MEETING

DEVELOPMENT MANAGEMENT COMMITTEE

Date & Time

Wednesday, 21 June 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, I Dalgarno, F Firth, E Ghent, C Gomm, K Janes,
T Nicols, T Swain and J N Young

[Named Substitutes:

Cllrs D Bowater, A D Brown, Mrs C F Chapman MBE, Cllr S Dixon,
Ms C Maudlin, A Ryan and B J Spurr]

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**

To receive apologies for absence and notification of substitute Members.

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the minutes of the meeting of the Development Management Committee held on 24 May 2017 (copy previously circulated).

4. **Members' Interests**

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

Report

Item	Subject	Page Nos.
5.	Planning Enforcement Cases Where Formal Action Has Been Taken	9 - 14

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

Planning and Related Applications

Prior to considering the planning applications contained in the following schedules Members will have received and noted any additional information relating to the applications as detailed in the Late Sheet for this meeting.

Item	Subject	Page Nos.
6.	Planning Application No. CB/16/02972/FULL Address: Former Dukeminster Estate, Church Street, Dunstable Erection of 274 houses with parking and associated works. Applicant: Persimmon Homes North London	15 - 40
7.	Planning Application No. CB/16/05127/OUT Address: Land at former Fullers Earth Quarry, Clophill Hybrid planning application to deliver the Clophill Lakes development on land at the former Fullers Earth Quarry. Part A: Full planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor parkland space. Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 50 dwellings along with children's play facility and associated landscaping and infrastructure works. Applicant: Gallagher Estates	41 – 86
8.	Planning Application No. CB/17/01619/FULL Address: Land rear of 43 – 91 Silver Birch Avenue, South of Alder Green & Aspen Gardens, Stotfold Change of use of agricultural land to countryside recreation/informal open space (Sui Generis) including associated soft landscaping. Applicant: Taylor Wimpey UK Ltd	87 - 102

9. **Planning Application No. CB/17/01642/OUT** 103 -
150
- Address:** Land rear of 43 – 91 Silver Birch Avenue, South of Alder Green & Aspen Gardens, Stotfold
- Outline planning application for up to 95 dwellings (including affordable housing) and all associated infrastructure and landscaping, with all matters reserved except access.
- Applicant:** Taylor Wimpey UK Ltd
10. **Planning Application No. CB/16/05887/OUT** 151 -
198
- Address:** Land opposite The Lane & Lombard Street, East of Marston Road, Lidlington
- Outline planning application with all matters reserved except access for up to 40 residential dwellings (C3) with associated car parking and infrastructure; removal of redundant former scout hut and replacement with informal open space and associated green infrastructure improvements, habitat creation and landscaping
- Applicant:** Millbrook Proving Ground Ltd
11. **Planning Application No. CB/17/01023/FULL** 199 -
214
- Address:** 115 London Road, Biggleswade
- Demolition of existing building and structures. Erection of a one to two and half storey 70 bedroom residential care home (Use Class C2) and associated access, parking and landscaping
- Applicant:** Mantles Group Ltd & Frontier Estates (Stevenage) Ltd
12. **Planning Application No. CB/16/03283/OUT** 215 -
242
- Address:** Land West of Pastures, Upper Caldecote, Biggleswade
- Outline planning application for the Development of 40 dwellings, including new access, access road, car parking, landscaping and footpath link to adjacent playing fields.
- Applicant:** William Willoughby (Estates) Ltd & Messrs DW, RG, SP, BJ Maudlin

13. **Planning Application No. CB/17/01089/FULL** 243 –
262
Address: Oak Bank School, Sandy Lane, Leighton Buzzard

Proposed Multi-Use Hall with covered linkway and associated
siteworks

Applicant: Oak Bank School
14. **Planning Application No. CB/16/04384/REG3** 263 –
274
Address: Lancotbury Close amenity land, Totternhoe

Regulation 3: Provision of additional off - road parking

Applicant: Central Bedfordshire Council
15. **Planning Application No. CB/17/01649/FULL** 275 –
282
Address: 3 Ivel View, Sandy

Single story rear extension, with alterations to roof to make it
hipped to flat with a roof lantern light, loft conversion with rear
dormer and velux windows

Applicant: Mrs S Rammal
16. **Planning Application No. CB/17/01333/FULL** 283-
292
Address: 76 Elm Avenue, Caddington

Proposed two storey rear extension and single storey side
extension

Applicant: Mr Burton
17. **Late Sheet** 293-
316

To receive and note, prior to considering the planning
applications contained in the schedules above, any additional
information detailed in the Late Sheet to be circulated on 20
June 2017.

18. **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 **19 July 2017** and the Site Inspections will be undertaken on **17 July 2017**.

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Meeting: Development Management Committee
Date: 21st June 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 21st June 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	Awaiting outcome of PFMT presentation.
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	Complied	Site inspection carried out on Monday 22 May 2017 confirmed that the whole of the unauthorised structure (excluding the concrete base) had been demolished and all materials removed from the site. The current siting of an empty static caravan/mobile home on the base is the subject of a separate case file.
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			Not complied	Awaiting outcome of PFMT presentation.
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		04-Apr-17	Not complied	Appeal allowed by the Planning Inspectorate to remove condition no.2 from planning permission CB/16/02327/FULL requiring submission of demolition scheme and demolition of unauthorised extensions as per Enforcement Notice. Enforcement notice compliance period expired on 4 April 2017. Some minor demolition has been carried out on site. Flat roof design extension application recently received. CB17/02434. Discussions continuing with Legal with regard to the options available now the Enforcement Notice compliance period has expired.

Planning Enforcement formal action (DM Committee 21st June 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
6	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	Awaiting outcome of PFMT presentation.
7	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	Appeal dismissed.	02-May-17	Not complied	Land owner is currently vacating the residential use. Prosecution action pending outcome of forthcoming site inspection in June. Two further lawful use applications received related to the residential use (CB/17/02161 & CB/17/02162) awaiting to be determined.
8	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	Not complied	Discussions to be held to consider options given progress to date.
9	CB/ENC/15/0140	Springbank, Bottom Drive, Eaton Bray, LU6 2JS	Enforcement Notice - Unauthorised wall	09-Nov-15	08-Dec-15	08-Feb-16	Appeal decision Enforcement Notice upheld	27/09/2016	Not complied	Prosecution to commence.
10	CB/ENC/15/0260	Gravenhurst Lane/A6, Silsoe	Section 215 notice - untidy land and buildings Enforcement Notice - material change of use to a caravan site with the stationing of two static mobile homes	06-May-16 07-Apr-17	08-Jun-16 08-May-17	08-Jul-16 08-Jul-17 08-Aug-17	 Appeal received 26/04/17		Part complied	Part compliance with the Section 215 Notice. Tyres and scrap removed. Enforcement Notice served on 07/04/17 for the removal of the two mobile homes from site. This Notice has now been appealed.
11	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	 Appeal dismissed	 02-Mar-17 02-Jun-17	 Not complied	Continuation of Injunction granted 5/10/15 to prevent further unlawful development. Planning application refused. Injunction remains in place to prevent further development. Enforcement Notice remains in effect, compliance 2/3/17 and 2/6/17. No compliance yet, awaiting Counsel advice on further action.

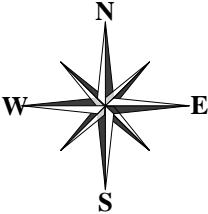
Planning Enforcement formal action (DM Committee 21st June 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
12	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				Application CB/17/01420/FULL still awaiting to be determined.
13	CB/ENC/15/0530	47 Hitchin Road, Stotfold, SG5 4HP	Section 215 Notice - untidy land	31-Aug-16	30-Sep-16	30-Oct-16			Not complied	Lawful use certificate application submitted for parking of vehicles and use of rear garage for car repairs (CB/17/02115/LDCE) awaiting to be determined. Legal advice being sought on the next step.
14	CB/ENC/15/0542	Land at Honeywicke Cottage, Honeywick Lane, Eaton Bray, Dunstable, LU6 2BJ	Enforcement Notice - Material change of use from agriculture to use for Class B8 storage as a scaffolding contractors yard and the laying of hardstanding.	10-Feb-16	10-Mar-16	10-Sep-16 10-Oct-16	Appeal dismissed	19-Jan-17	Not complied	Council challenge against Planning Appeal decision to allow the change of use has now been lodged. All action held in abeyance.
15	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			Not complied	Agent advised that works should be commencing in the next few weeks.
16	CB/ENC/16/0084	Unit 22 Pulloxhill Business Park, Greenfield Road, MK45 5EU	Enforcement Notice 2 (r/o Unit 22)- Material change of use of the land from amenity land to use for the storage, maintenance and cleaning of plant/machinery	05-Apr-16	06-May-16	06-Jun-16			Notice withdrawn	Minimal impact upon amenity associated with non compliances of pp CB/15/04844. Insufficient justification to take formal action.
17	CB/ENC/16/0170	Car Park, The Pack Horse Public House, Watling Street, Kensworth	Enforcement Notice - Material change of use of the land from car park to use for vehicle sales, storage, repairs and the siting of a touring caravan.	20-Apr-17	18-May-17	18-Jul-17				Check compliance 18/07/17
18	CB/ENC/16/0179	Land at 81 The Rowlands, Biggleswade, SG18 8NZ	S215 Notice - Untidy land	02-Aug-16	02-Sep-16	02-Oct-16			Not complied	Court date for prosecution adjourned until 07/08/2017 at Luton Magistrates Court. Land in the process of being sold and cleared. It is anticipated that there will be full compliance by July 2017 when a final case review will be carried out.

Planning Enforcement formal action (DM Committee 21st June 2017)

	ENFORCEMENT CASE NO.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES/FURTHER ACTION
19	CB/ENC/16/0216	Falcons Field, Lower Rads End, Eversholt, MK17 9EE	Enforcement Notice - Unauthorised construction of a tree house	08-Mar-17	08-Apr-17	08-May-17	Appeal received 28/03/17			Await outcome of appeal.
20	CB/ENC/16/0265	Four Winds Industrial Estate, West End, Haynes, MK45 3QT	Enforcement Notice - Material change of use for the stationing of mobile homes and caravans	15-May-17	15-Jun-17	15-Jul-17 15-Aug-17				Check compliance 15/07/17 and 15/08/17, if no appeal received by 15/06/17.
21	CB/ENC/16/0328	52 The Ridgeway, Flitwick, MK45 1DJ	Section 215 - Untidy Land	03-Oct-16	03-Nov-16	03-Dec-16			Not complied	LGSS to write to owners with regards to compliance with the S.215 Notice and outline further prosecution if failure to comply.
22	CB/ENC/16/0390	7 Lovers Walk, Dunstable, LU5 4BG	Section 215 - Untidy Land	20-Oct-16	20-Nov-16	20-Dec-16			Not complied	File being prepared for Legal.
23	CB/ENC/16/0482	The Halt, Crawley Crossing, Bedford Road, Husborne Crawley, MK43 0UT	Breach of conditions - Condition 1 and 2 - Construction Traffic scheme and landscaping details.	16-Mar-17	16-Mar-17	15-Apr-17			Not complied	Applications to discharge the Conditions have not been submitted but I am in discussion with the owner to ensure this is done.
24	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	Appeal received 09/02/17			Appeal decision pending.
25	CB/ENC/16/0549	Land rear of Unit 14, Pulloxhill Business Park, Greenfield Road, Pulloxhill, MK44 5EU	Enforcement Notice - The unauthorised material change of use of the Land to open storage and cleaning of commercial plant and machinery with the associated provision of a 2.5 metre high earth bund along the north eastern site boundary and boundary bund, fencing with gates on the road frontage.	27-Jan-17	01-Mar-17	01-Apr-17 01-Jun-17			Complied	Enforcement Notice complied with, other than removal of the side boundary bund by the spreading of the soils over the cleared land.
26	CB/ENC/17/0007	The Kings Head, Great North Road, Lower Caldecote	Breach of condition - Condition 2 - CB/10/00085/Full - following first occupation of the dwelling, the existing dwelling shall be demolished and all resultant detritus be removed.	05-Apr-17	05-Apr-17	17-May-17			Complied	Site inspection carried out on 17 May 2017 confirmed that the former dwelling building the subject of the Breach of Condition Notice had been fully demolished and all materials removed from the site.



	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No. CB/16/02972/FULL
	Date: 05:May:2017 Grid Ref: 502298; 222178	
Scale: 1:5000	Former Dukeminster Estate, Church Street, Dunstable	

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Item No. 6

APPLICATION NUMBER	CB/16/02972/FULL
LOCATION	Former Dukeminster Estate, Church Street, Dunstable
PROPOSAL	Erection of 274 houses with parking and associated works.
PARISH	Dunstable
WARD	Dunstable Icknield
WARD COUNCILLORS	Cllrs McVicar & Chatterley
CASE OFFICER	Donna Lavender
DATE REGISTERED	18 July 2016
EXPIRY DATE	25 November 2016
APPLICANT	Persimmon Homes North London
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Major Application that is a departure from the Development Plan
RECOMMENDED DECISION	Approval subject to the completion of a S106 Agreement

Reason for Recommendation

The proposed development would result in the efficient re-use of previously developed land and is considered to be in accordance with local and national policy and there are no matters of detail that weigh against the grant of planning permission. The submitted viability assessment fully demonstrates that the development cannot deliver full contributions due to viability issues and given those constraints an acceptable level of affordable housing and proportionate contributions have been secured. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be demonstrably harmful. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy BE8 of the South Bedfordshire Local Plan Review and the Council's adopted Design Guidance (2014).

Site Location:

This site comprises the 4.65 ha. central and northern part of the 6.5 ha. Dukeminster Estate together with the estate road to Church Street (0.35ha.). This was until recently a commercial enclave on a rectangle of land half a mile east of Dunstable town centre with a long history of commercial use.

The Estate sits off the northern side of Church Street and the land was levelled in the past by forming embankments up to 5m high to part of the north and west sides. The embankments were planted resulting in a mature wooded bank on these frontages overlooking flats and houses in The Mall, Kingsway and Bernards Close. Part of the eastern boundary has an area of undergrowth, with young trees on a bank falling to the Busway. The White Lion Retail Park and Sainsburys superstore lie beyond to the east. To the south, the main site adjoins a care home and an Extra Care scheme. Access to the application site is off Church Street which runs between these two developments.

All the commercial buildings which stood on the site have now been demolished. The 1973 Tree Preservation Orders protect (a) trees in an Area which includes the bank towards the NW corner of the site and (b) individual trees at the foot of the bank to the rear of Scott's Court, Kingsway, and Earls Court, The Mall.

The Application:

The application represents an amendment to a previously approved scheme for the erection of 170 dwellings. The proposed scheme is described as 277 units; however the total number of dwellings would be 321 if permission was granted. The apparent discrepancy reflects the nature of the application which seeks to amend only parts of the approved scheme resulting in 44 units from the approved scheme being retained.

The revised scheme has changed the mix of units away from a house led scheme with a modest number of flats to a flat led scheme with a number of dwellings. The dwelling mix has moved away from larger units to a focus on smaller units. The proposed dwelling mix would be 120 houses and 201 flats. The flats are either 2 or 3 bedroom units with the houses being 2 or 3 bedroom units.

The general road layout and open space provision reflects that of the previously approved scheme although there have been a number of amendments made to respond to comments from consultees and local residents.

The application is supported by a comprehensive suite of documents including:

- Geotechnical Ground Investigation
- Street scenes
- Sustainability report
- Environmental Noise Assessment
- Residential Travel Plan
- Transport Assessment
- Design and Access Statement
- Planning Statement
- Statement of Community Involvement
- Landscape Management Plan
- Ecology Statement
- Financial Viability Assessment
- Road Safety Assessment

RELEVANT POLICIES:

**National Planning Policy Framework (March 2012) &
National Planning Practice Guidance (November 2016)**

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

Section 11 - Conserving and enhancing the natural environment.

South Bedfordshire Local Plan Review Policies

BE8 Design Considerations
E1 Main Employment Areas
H2 Making provision for housing vis 'Fall-in' sites
H3 Local housing needs
H4 Providing Affordable Housing
R10 Children's play area standard
R11 New urban open space
T4 Public transport services along the former Luton/Dunstable rail line
T10 Controlling parking in new developments
SD1 Keynote sustainability policy.

(Due weight can be given to relevant policies in existing plans according to their degree of consistency with the NPPF. It is considered that Policy BE8 is consistent with the Framework and carries significant weight. However, Policy T10 carries less weight.)

Development Strategy

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

Supplementary Planning Guidance and other documents

1. Central Bedfordshire Design Guide (September 2014)
2. Dunstable Town Centre Masterplan, May 2011
3. Managing waste in new developments SPD

Other relevant documents

- Luton to Dunstable Railway CWS
- Borough of Dunstable Tree Preservation Order No.1 1973
- Borough of Dunstable Tree Preservation Order No.2 1973

Relevant Planning History:

CB/15/03052/RM	Application for approval of reserved matters for the development of 170 dwellings with car parking including garages, internal access roads, public open space including play areas, landscaping, drainage and other related infrastructure pursuant to outline planning permission CB/13/01368/OUT. The outline planning application was not EIA and was not accompanied by an Environmental Statement.
CB/13/01368/OUT	Permission. The demolition of all buildings on the site and redevelopment for up to 170 residential dwellings together with improvements to the existing access road, associated vehicular parking and landscaped areas.
SB/OUT/06/0884	Appeal permission expired - Residential development for up to a maximum of 458 dwellings (85 dwellings per hectare

maximum) with associated parking and open space and up to a maximum of 300m² of Class A1 floorspace and up to a maximum of 520m² of Class D1 floorspace.

CB/11/02380/FULL Resolved to Grant - Demolition of all existing buildings and redevelopment for up to 172 residential dwellings together with 300m² (gfa) of Class A1 retail space and 513m² (gfa) of Class D1 accommodation. Section 106 Agreement not signed.

CB/11/03053/DEM Demolition consent for removal of buildings.

CB/11/04497/OUT Resolved to Grant - Demolition of all buildings on the site and redevelopment for a mixed use scheme for up to 203 residential dwellings together with a 75 bed care home, 568m² (gfa) Class A1 retail space, 505m² (gfa) Class A2 financial and professional services or Class 3 restaurants and cafe space, 555m² (gfa) Class D1 non residential institutions space, 783m² (gfa) Class B1 business space together with associated vehicular parking and landscaping areas. Section 106 Agreement not signed.

CB/12/01114/SCN Screening Opinion for current proposal - Not EIA Development.

CB/13/00710/FULL Permission - New build Class C2 care home facility and upgrade of existing access road.
[land to south-east of site]

CB/13/01276/FULL Permission. Demolition of all existing buildings on the site and redevelopment for the construction of 83 Extra Care Flats for Older Persons with communal areas, support facilities and retail unit.
[land to south of site]

Town Council:

Dunstable Town Council (31/08/17) (*Verbatim*) - Members were satisfied with the overall layout of the estate including the number of parking spaces and the number and type of properties. Members expressed concern about the single vehicle access arrangements to the site from Church St and in particular questioned the capacity and vehicle control arrangements taking account of the increased number of vehicles associated with the development alongside the existing vehicle volumes associated with the Priory View care home. Members asked that CBC be requested to review the suitability of these access arrangements at the Church St junction entrance.

Members suggested that a footpath link be created near or adjacent to the L.E.A.P. to provide access to the guided busway and the nearby local bus stop.

Previous comments made regarding the landscaping proposals contained within the outline planning application CB/15/03052/RM remain unchanged where still relevant.

Internal Consultees:

CBC Housing Development Officer (09/08/16, 06/12/16 & 23/05/17)

Application now proposes an element of affordable housing through intermediate tenures (shared ownership and starter homes) despite submission of viability demonstrating zero affordable housing can be provided on site. The submitted viability was independently assessed and verified which broadly agreed with the findings from the submitted viability. Whilst the addition of an element of affordable housing has been incorporated into the scheme, am not inclined to offer support to the revised application. The intermediate tenure units will not be providing affordable units for those in the greatest housing need. The Strategic Housing Market Assessment indicates the overarching requirement in Central Bedfordshire is for affordable rented housing (73% of all affordable units from qualifying sites). It would be preferable for the scheme to incorporate the provision of less affordable units than the quantum proposed through intermediate tenures with the provision of affordable rented housing, which will provide affordable housing for those in the greatest housing need.

CBC Integrated Transport (21/11/16) - No comment

CBC Ecology (05/12/16 , 31/08/16, 20/04/17 & 25.05.17) - No objection. Welcome references to biodiversity and the need to give consideration to bats and birds when undertaking works. Also welcome the planting/seed mix.

Amended proposals: Having looked at the new landscape drawings, concerned about the wet pour ground treatment for the LEAP in the NE corner of the site. Not clear if this is the new artificial sett or the original main sett. Intensified Scheme Ecology Letter is dated June 2016 so is almost 1 year old and hence does not relate to the current situation on site. Understand the NE licence has been extended but no information relating to this extension has been provided. Equally no method statement has been submitted to evidence how works will proceed without causing harm to the badgers on site. Given the protracted process of this application and the fluid nature of badger habitation would expect an updated assessment of badger activity and potential impacts to be provided.

CBC Highways Officer
(30/09/17, 11/10/16,
27/03/17 & 26.05.17)

Recommendations made for the commissioning of a safety audit which should inform any appropriate amendments to the access to the site and any highway safety mitigation.

On receipt of the safety audit and on the advice of the Councils Highways Officer, a revised access plan demonstrated more appropriate alignment, visibility and pedestrian refuge points were supplied.

Within the revised drawing number 14.100.1.101.2 Rev12 there is an additional 19 spaces provided which now means that there is a total under provision of 23 spaces.

While there could be an argument for general under provision and this could be supported by the residential parking research document produced by Community and Local Government, I would not support an application where there is an under provision of visitor spaces to this level.

While in the location I would be willing to support an application that does not meet the authority standard; in relation to visitor spaces the applicant should be urged to make alterations to provide additional visitor spaces to meet the authority standards,

In relation to the other minor alterations within the reconsultation; these matters do not relate to highway matters.

Accept the proposals shown on drawing number 17178-002 Rev. A subject to a Road Safety Audit.

CBC Strategic Landscape
(16/08/16,07/12/16,
09/12/16, 22/03/17 &
24/05/17)

No Objection, however offered recommendations. The visitor parking bays at the main access to the development would benefit from the inclusion of street tree / trees within a build out to define the parking area, assist in traffic calming and also contribute to a landscape / green 'gateway' to the site.

The higher density housing to the southwest of the site appears to include very limited communal green space therefore it is recommended that more opportunities for additional 'community greens / pockets parks' with attractive landscaping and seating in this area of the development be considered.

A footpath and cycle access at the northern point of the site would increase permeability of the development and offer residents access to the bus way and wider 'green' public open spaces, promoting recreation opportunities and health.

In addition a request was made for a landscape management plan which was received on 02.05.17.

No additional comments on the amended plans.

CBC Public Art (27/07/16 & 09/12/16) -

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

If the application were to be approved it is requested a Condition be applied to secure a public art plan.

CBC Sustainable Growth (15/08/17,28/11/16, 09/03/17 & 12/05/17) -

Additional information was requested on how sustainability standards required by policy would be met. A sustainability statement was supplied on 02.05.17 for consideration.

The submitted Energy Statement proposes 10% emission rate improvement over current Building Regulation Standards. This approach is acceptable and the following planning conditions should be attached:

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

CBC Trees and Landscape (06/12/16, 10/04/17 & 15/05/17) –

No objection to the application on the provision that tree protection conditions are imposed. The areas of "No Dig" construction, being used for pathways and other hard standing areas, should be based on a three dimensional cellular confinement system, and fully supported by an Arboricultural Method Statement, and an amended "Tree Protection Removal Plan". This will ensure that the fibrous rooting system and rooting medium of these trees are fully protected from excavation and compaction damage, in order to ensure their long-term health and stability.

CBC Sustainable Transport - Travel Plan Officer

There are some amendments required. It would also be useful to see a plan of the proposed direct

- (10/08/16) - pedestrian/ cyclist access to the busway as this will be a key component to the success of the measures put lined in the plan.
- The plan, as per the previous application will need ongoing implementation and monitoring secured via an appropriate condition.
- Urban Design Consultant (02/12/16 & 17/03/17) - Lack of street trees, particularly in front of apartment blocks 12 (plots 445-461) (plots 410-424, 383-397)
- Ground floor garden spaces should not be provided on the street frontage. Private garden space should be provided to the rear of the building. An alternative to private gardens would be an area of communal space.
- Bin/cycle stores and undercroft parking provide inactive ground floor frontages to the street within the apartment blocks.
- Recessed or cantilevered balconies (rather than those supported by an external frame) would add more interest to the apartment elevations.
- The relationship of apartment blocks 5, 9 and 8 to adjoining dwellings needs addressing. They should step down from four to three storeys where they adjoin 2 storey dwellings.
- Flat blocks 8 and 9 frame the main square, which is a key space within the scheme should be brick rather than render. Buildings should animate the square but the central part of the elevation is weak with an inactive ground floor.
- CBC Waste Services (07/12/16 & 24/03/17) - Raise no objection in principle but give detailed advice on the required level of bin provision and requirements for storage and collection points which could be secured through condition.
- CBC Green Infrastructure (15/06/17) - The levels of open space provision on the development site should be checked against the Leisure Strategy standards. We would expect that the development delivers the required quantity of open space on site in the first instance. If this is not possible, contributions would be required to enhance or extend existing open spaces. N.B. Refer to S106 obligations.
- CBC SuDS Team (21/03/17) - We are unable to recommend the application CB/13/01368/OUT for approval until details have been received to demonstrate that condition 12 and 13 of CB/15/03052/RM have been satisfied.

Details to discharge the conditions under the RM application were submitted to support this application on 02.05.17.

CBC Countryside Services (26/08/16 & 19/12/16) - Concerns expressed over the lack of open space provision and the a direct impact on existing Countryside Sites, it is just over 1000mtrs to Walk/Cycle to Houghton Hall Park to engage in educational/countryside activities. it is also noted that the Residential Travel Plan makes no reference to visiting the nearest park space at Houghton Hall Park. Furthermore concerns expressed about the visual view of the landscape in particular to the north east boundary overlooking the Guided Busway.

CBC MANOP (Meeting the Needs of Older People) Officer (19/08/16) - Request that the needs of older people are addressed and considered in the assessment of the application.

CBC Pollution Officer (12/08/16, 02/12/16 & 25/05/17) - No Objection, subject to the imposition of conditions to secure a phase 4 validation report in respect of remediation and an updated noise mitigation scheme.

CBC Public Sector Housing (05/05/17) - No comments to make.

External Consultees:

Natural England (05/08/16 & 18/05/17) - Statutory nature conservation sites – no objection.

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. Landscape enhancements.

Highways England (15/08/16 & 05/05/17) - No objection.

Anglian Water (06/09/16) - Raise no objection subject to the imposition of conditions to secure a foul water strategy and surface water management.

Environment Agency (18/08/16) - The proposed development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters and as such planning conditions may be deemed necessary by the Local Lead

Flood Authority and/or CBC Pollution Team in terms of mitigating any risk of contamination to controlled waters.

Sports England
(29/07/16 & 09/05/17) -

No Comments.

106 Sustainability Mitigation Obligations:

CBC Education Officer
(08/03/17)-

Has requested contributions towards the delivery of additional education facilities arising from the development.

CBC Leisure Officer
(23/09/16, 19/12/16 &
13/04/17) -

The development generates a requirement to provide on and off site open space totalling 5.4ha. Both Countryside Recreation and Informal Recreation would be made off the development site in the form of creation or improvements to existing facilities.

Children's Play/Teenagers - a development of this size should provide on-site play provision of: 1 NEAP play area plus 2 LEAP / LAP combined play areas. The proposed onsite LEAP and 2 LAP play areas falls below the standard required for the development, and the equipment proposed previously (below) is unsuitable.

As an alternative to onsite play facilities the developer may wish to provide a contribution toward enhancement of existing play facilities locally.

As no onsite outdoor sport would be appropriate on this development, a contribution of £86,627 is sought toward Dunstable Town Council's project to upgrade the sports changing pavilion at Kingsbury Park, which accommodates football and bowls pitches/facilities, based on the Sport England Playing Pitch Calculator. In addition a £70,000 contribution towards an offsite NEAP.

Other Representations:

Neighbours

One letter has been received from a resident of Priory View which raises no objection to the application.

54 letters have been received from residents of **Priory View, Bernard Close and Kingsway** which raise objection on the following grounds to the original and amended proposals (in summary):

- Overlooking;
- Invasion of privacy;
- Extra traffic /pollution onto an already very congested road;
- Loss of trees;
- Boundary fences which are in a poor state of repair;
- Existing health problems would be exacerbated by

- construction works and increased pollution;
- 600 extra cars, vans, lorries would travel up and down the access road;
- Miss selling of property;
- Over Development;
- Site is much higher than Kingsway;
- High rise buildings should be located away from existing dwellings;
- Site hoarding should be retained to provide privacy;
- Branches have already been removed from protected trees;
- Junction with Church Street would be over capacity with associated severe congestion and highway danger;
- Loss of light;
- Adverse impact on the gardens to Priory View;
- Disturbance during construction works;
- Too many new homes are being built in the area;
- Nobody will want to live in Priory View after the new development is carried out.

Additional comments received on amended plans:

- Amended flat blocks 1 and 2 will still remain 4 and 5 storey respectively when you include the height of the gable roof and will still cause overlooking, loss of daylight, not just in the mornings and evenings and loss of privacy.
- Limited sunlight will have an adverse effect on quality of life and health, particularly those with vitamin deficiencies and depression. Many residents are unable to travel from the Priory View garden area which would no longer be therapeutic and is a focal point for the community.
- Still object to the scale and mass of the development at the rear of Priory View.
- Highways report does not take account of increased volume in traffic.
- How can the builders know what they are building if the plans keep changing?
- Blocks 1 and 2 should be replaced with housing.
- Detrimental impact on air quality from additional traffic.
- The CB Design Guide at para 5.02.03 explicitly refers to two storey structures and suggests that three storey and above heights would require an increase in distance which will not overcome overlooking if 4 storey.
- It is misleading to directly compare 'pitched roof' structures with those having 'flat roofs'.

A petition of objection signed by 71 residents and 7 visitors to Priory View has been received which raises objection on grounds of

- Loss of light;
- Overlooking;
- Shading of landscaped garden;
- Increased noise;
- Increased traffic volumes adding to existing levels of congestion;
- Increased pollution;
- Severe disruption to residents;
- A northern exit road should be created;
- Taller dwellings should be located away from existing dwellings; the layout plans should be turned around.

Determining Issues:

The main considerations of the application are;

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

Considerations

1. Principle of the Development

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 town of Dunstable. Dunstable is designated as a town which is considered to be a sustainable location for planning purposes and wherein the principle of new development is considered acceptable.

The principle of development for residential on this site was established with the grant of Outline planning permission, and subsequent approval of reserved matters for the demolition of all buildings on the site and re-development for 170 dwellings. This planning permission remains extant and as such is material to the consideration of this application.

Since the original grant of planning permission the NPPF has been published and there have been other changes such as the CIL Regulations; however, none of these changes mitigate against the principle of a residential development on this site.

Accordingly there is no objection to the principle of residential development on this site. A residential reuse would make a positive contribution towards urban regeneration and the supply of land for housing with effective use of the available land and is therefore considered acceptable in principle and accords with national advice and Local Plan housing policies. It is also accepted and agreed that the site is previously developed land and so the principle of the use of the site for residential development is therefore acceptable, subject to other

considerations such as design, amenity and highway which are considered later in this report.

This full planning application has been considered in relation to the EIA Regulations (2011) as amended March 2014 and it is felt that no further information is required to be submitted in this respect.

2. Affect on the Character and Appearance of the Area

Appearance and Scale

The scale of development has increased significantly since the original approval; however, this has also reflected a change in the mix of proposed dwellings with a much greater emphasis on flats. The change in mix and numbers has also resulted in an increase in the height of the development with several four storey flat blocks included.

There is a mix of terraced units with some semi-detached properties and a significant presence of flats proposed. Building materials are mainly brick with some render and timber cladding used to create interest and variety. The materials generally reflect those found in the new developments to the south of the site.

In terms of overall scale, the development would not be out of character with the care home and extra care building which are two and a maximum of five storeys high respectively. The heights of the buildings vary within the development and amendments have been made to ensure that there is a progressive transition between the different building heights to create an interesting but balanced street scene.

There have been other revisions to the development to remove areas of undercroft parking and replacement with flats to animate the street frontage. The materials treatment of the proposed blocks has been revised to create more visual interest and break up the mass and bulk of the flat blocks. The proposed layout conforms to established good principles of design by respecting key groupings of buildings, street design, set backs, boundary treatments, parking typologies and materials.

As such, following the revisions to the scheme, it is considered that, the development would complement the character and appearance of the surrounding area.

Layout & Legibility

With regards to pedestrian access, a network of footpaths would be constructed within the site and linkages would be provided through the north eastern and north western boundaries to the busway and The Mall respectively as with approved scheme.

The majority of private outdoor space for flats is provided as balconies with limited communal garden space and houses would be served by rear gardens which, in most cases, comply with the CBC Design Guide. Given the site's proximity to public open spaces within walking distance of the Priory Gardens and the Grove park and the on site play area provision (detailed below); it is considered that the amenity space provided would be acceptable.

Landscaping

To soften the appearance of the development within the site, trees would be planted on the sides of roads. Additional planting would be introduced along the north eastern boundary to provide a buffer with the busway. A detailed landscape strategy covers the whole site and includes two Local Areas for Play (LAP) one situated at the site entrance and another on the north western edge of the site. In addition, a LEAP would be provided on the north eastern corner of the site. The details of landscaping submitted are considered acceptable.

Subject to appropriate conditions, the proposed development would therefore make a positive contribution to the locality and hence would not conflict with the aspirations of the Outline Planning permission and policies BE8 of the South Bedfordshire Local Plan Review (SBLPR) and national advice within the National Planning Policy Framework (NPPF).

3. Neighbouring Amenity

The objectors have raised a number of issues in their representations; many of the points have been addressed above, however, the following points address some of the specific issues raised regarding amenity.

Concern has been raised over loss of light and overshadowing particularly for the Priory View development; however, the development lies to the north of the Extracare facility and it is unlikely that there would be any overshadowing of properties except at the beginning or end of the day and any impact would be minimal due to the distances involved. The scheme was revised by moving one of the flat blocks further away from the boundary with Priory View and reducing building heights.

The layout of the flats, position of windows and their balconies to the rear of the Extracare facility has been amended to reduce the likely impact of any overlooking. Concerns were expressed by residents that block 1 would result in overbearing impact on Priory View due to its proximity to the shared boundaries. However this block in terms of its siting and up to a height of three storey (with pitched roof) was approved under the previous reserved matters application. The revisions secured during the life of the application, reduced the proposed four storey nature of this block 1 building back down to three storey (with pitched roof) adjacent to the shared boundaries which is consistent with their previous and extant permission. As such, it is considered that the impact of this proposed development would be no greater than the previously approved and extant permission.

Concerns of residents of Priory View were also raised in respect of flat block 2 due to its proximity to the boundary resulting in overbearing impact and due to its overall height and position of windows and balconies having the potential to result in mutual overlooking concerns. Amendments were secured during the life of the application which removed the arched entrance to the parking which contained flats above and all windows and balconies have been removed from the rear elevation facing Priory View.

A minimum separation of 29 metres is now proposed between the flat block 2 and Priory View buildings which is the distance between the western ends of

both buildings. This separation distance increases to 33 metres at the eastern end of block 2 (with two storey element) and 35 metres around the middle of the block where it is four storey in height (with pitched roof). The Councils Technical Design Guidance recommends a 21 metre separation distance to prevent mutual overlooking but this relates to two storey height dwellings only. The Guidance states that “three storeys and above heights” require an increase in distance if the basic standard is applied but does not recommend an appropriate distance.

Concern has also been raised by residents of Priory View about the heights of the buildings proposed. Priory View is a flat roof building which has a 5-storey 'drum' near the junction of the estate road with Church Street, from which radiate 2 wings of decreasing height. The wing facing proposed flat block 2 is part four and part three storey. The applicant has provided marked up drawings of Blocks 1 and 2 which shows that Block 2 (mainly four storey) would be 10.8 metres to the eaves and a maximum 14.03 metres to the ridge.

It is acknowledged that there would be some degree of impact on amenity from the proposed flat block 2 but given the additional distance proposed (minimum 29 metres) and the location of flat block 2 to the north of the Priory View properties it is not considered that there would be significant harm.

An approximate 10 metre depth buffer surrounds the north and western boundaries shared with other additional residential properties in Bernard Close, Kingsway and The Mall. This separation, including the rear garden spaces of the existing properties adjacent to the shared boundaries with the site, which are excess of 10 metres in depth, makes for an adequate separation that would not give rise in amenity concerns in terms of mutual overlooking or overbearing impact to this local residents.

Concern has been expressed about health impacts arising from the development. The issues raised around dust and noise will relate to the construction phase of the development and will greatly reduce once the development is fully occupied. The greatest impact will, therefore, be relatively short lived. Any nuisance that may arise would be covered by other regulations and addressed by the Councils Public Protection Team. Whilst the concerns raised by the objectors are fully understood they do not represent grounds to resist the current revised scheme and furthermore some of these concerns can be addressed through a Construction Management Plan condition.

The Councils Public Protection Officer acknowledges that dwellinghouses have been sited in order to minimise noise disturbance however the original noise report was conducted in 2011 prior to the busway becoming operational and prior to changes on the White Lion Retail Park and no noise attenuation scheme has been updated and supplied with the application and therefore this would need to be secured through condition.

A bin collection scheme in terms of storage and collection points have not been supplied for consideration however there is sufficient space within the layout to allow for these provisions and as such this matter can also be secured through condition.

In terms of amenity space for future occupiers, each bedroom space meets either the minimum standards which are conveyed within the Central Bedfordshire Design Guide or statutory limitations under the Housing Act. Furthermore, the garden space for each dwellinghouse would meet external standards conveyed within the same technical planning guidance. There is a 20 metre or more in some instances, separation between the back to back of each dwellinghouse to ensure that the development would not result in mutual overlooking concerns. Therefore the proposal would conform with policies BE8, the Central Bedfordshire Design Guide and section 7 of the NPPF requiring good design.

4. Highway Considerations

Access onto the site comes off Church Street and was established by the Outline permission, although this was for a lesser number of dwellings. The layout of the dwellings follows the road design which was previously approved and comprises two inter-linked loops which terminate in cul-de-sacs in the north eastern and north western parts of the site. Amendments have been made to this access in terms of its alignment and width to improve visibility and pedestrian access in accordance with the conclusions of a safety audit supplied during the course of the application.

A total of 576 parking spaces including garages would be provided against the CBC requirement of 578 spaces. 54 of these would be for visitors which is 23 short of the standard for visitor spaces. Given the proximity of the site to the town centre, busway and pedestrian/cycle routes this provision is considered acceptable.

The traffic assessment and comments from the highway officer confirm that whilst there would be an increase this would not be to a level that would be unacceptable or warrant refusal of planning permission.

The Highways Officer has not wished to raise an objection to the granting of this approval subject to the imposition of conditions. Therefore it is considered that the application would conform with policy T10 of the South Bedfordshire Local Plan Review and the Central Bedfordshire Design Guide.

5. Other Considerations

Affordable Housing Provision

Affordable housing provision was secured through the original outline planning permission for that number of units, in the form of Priory View. A viability report has accompanied this revised full planning application which concluded that this scheme, despite the increase in unit numbers, was considered to be unviable due to the construction costs in relation to flat blocks and due to the unsuspected additional ground construction works. As such no affordable housing provision was offered on the outset of this application.

However notwithstanding the conclusions of the viability report an element of affordable housing has been proposed as the viability report over estimated the likely S106 contributions. 10 % Shared ownership and 5% Starter homes has been agreed upon by the developer for the additional units proposed by this application which is considered acceptable in light of the viability conclusions. The proposal therefore is in accordance with Section 6 of the NPPF which

requires the delivery of a sustainable, inclusive and wider choice of high quality homes.

Contamination

The remediation strategy submitted in pursuit of discharge of condition 11 of permission number CB/13/01368 covers this entire site and as such covers this application and was included as part of this application submission. The Council's Pollution Officer raises no objections to the proposed development subject to the imposition of a condition to secure a phase 4 report demonstrating the effectiveness of the remediation strategy and a condition that if any unsuspected contamination found through site investigation, excavation, engineering or construction works to ensure this is identified and remediated.

Ecology

The Council's Ecologist and Natural England have both concluded that the proposal is unlikely to affect any statutorily protected sites or landscapes. Section 11 of the NPPF calls for a net gain in biodiversity. The references to biodiversity is welcomed including the planting/seed mix. The Council's Ecologist has recommended the provision of bat/bird boxes into the built fabric of dwellings which could be secured through condition.

An artificial badger set has already been provided to replace the original one which was closed due to its proximity to the guided busway. The Council's ecologist has asked for an update on badger activity on site and this should help inform other works which will be required.

No further objections have been raised by the Council's Ecologist or Natural England. The proposal therefore is considered to be in accordance with the NPPF.

106 Obligations

Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. The applicant has (as stated previously) submitted a viability report to demonstrate that it is not financially viable to provide a policy compliant scheme for affordable housing. This report has been independently reviewed and whilst there have been revisions to the applicant's assessment this has not materially changed the conclusion that the development was in deficit in relation to residual land value.

Spending Officers were consulted and comments returned from Education and the Council's Leisure team whereby contributions were requested. Notwithstanding the conclusions of the viability report full education and leisure S106 contributions can be secured in addition to the affordable housing (as explored in section 5.1) the S106 package shall include:

- Education contribution (for additional 148 units): £460, 788
- NEAP play area £70,000
- Upgrade the sports changing pavilion at Kingsbury Park: £86,627

which would form heads of terms for the legal agreement that would be required if Members resolve to approve.

Property Miss selling

Property miss selling has been raised; however, this is not a material planning consideration.

Sustainable Growth

Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of Sustainable Development, requiring a Sustainability Statement to be submitted with applications demonstrating a developments contribution to Sustainable Development through energy efficiency, biodiversity net gain (which is covered above) water efficiency and landscaping opportunities. This statement was submitted for consideration as part of this application. The Councils Sustainability Officer is satisfied that the development can contribute to Sustainable Development and has recommended conditions to secure its commitment and as such the development is in accordance with the NPPF in this regard.

SuDs

The original outline planning permission for this site, required that a 'Surface Water Drainage Strategy which would set out the appropriateness of SuDS to manage surface water run off, including the provision of the maintenance for the lifetime of the development which they serve would be discharged by way of condition prior to the commencement of works. However as this proposal is a standalone application, an updated drainage statement was supplied with this application. Subject to the Councils SuDs Engineer being satisfied with the content of this report which will be updated to the committee on the late sheet, it is considered that the proposal accords with section 10 of the NPPF.

Human Rights issues:

The proposal raises no Human Rights issues.

Equality Act 2010:

The proposal raises no Equality issues.

Recommendation:

That Planning Permission be **APPROVED** subject to the completion of a Section 106 Agreement and the following conditions:

RECOMMENDED CONDITIONS

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

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

- 2 No building shall be occupied until a phase 4 Validation report demonstrating the effectiveness of the remediation strategy, presented in the BRD 'Additional

Contamination Assessment and Remediation Strategy' document (Report Ref: BRD2297-OR2-B) dated October 2015, has been submitted and approved in writing by the Local Planning Authority. Any such validation report shall include responses to any unexpected contamination discovered during works.

If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 3 **No development shall take place until a scheme for protecting the proposed dwellings from noise has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the noise.co.uk report (Ref: 16065A-1) dated 24th October 2016. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.**

**Reason: This is a pre-commencement condition as the materials and other methods of noise mitigation are required to be pre-ordered prior to construction and to protect the residential amenity of any future occupiers.
(Policy BE8 SBLPR and the provisions of the NPPF)**

- 4 **Prior to the commencement of development, including demolition, all tree protection barriers shall be erected and positioned in strict accordance with the "Tree Protection Removal Plan" drawings (Dwg No's 710 Rev C and 711 Rev C), in full compliance with the appropriate build specification as being shown on the drawings. The tree protection barriers shall then remain securely in position throughout the entire course of development.**

Reason: This is a pre-commencement condition as protection for pre-existing trees must be erected prior to construction to secure the protection of the rooting system, rooting medium and natural canopy spread of retained trees from all development activity, so as to maintain their good health in the interests of securing visual amenity (Policy BE8 SBLPR and the provisions of the NPPF)

- 5 During the course of development, all hand excavation and root pruning being undertaken in the areas indicated as such on the "Tree Protection Removal Plan" drawings (Dwg No's 710 Rev C and 711 Rev C), shall be carried out under the direct supervision of a qualified arboriculturist, appointed by the developer to oversee these operations, in full compliance with good arboricultural practice.

Reason: To ensure compliance with good arboricultural practice and to minimise damage to tree roots caused by construction operations being

required within the designated Root Protection Area's of the retained trees, so as to maintain their good health, in the interests of securing visual amenity.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 6 No part of the development shall be occupied prior to implementation of those parts identified in the travel plan that are capable of implementation prior to occupation. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interest of promoting sustainable transport.
(Policy BE8 SBLPR and the provisions of the NPPF)

- 7 **No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

**Reason: This is a pre-commencement condition as ground works in relation to Foul Water will be required to be completed before the foundations and building of the units to prevent environmental and amenity problems arising from flooding.
(Policy BE8 SBLPR and the provisions of the NPPF).**

- 8 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
(Policy BE8 SBLPR and the provisions of the NPPF)

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

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

- 10 **Notwithstanding the details supplied with this application, no development shall take place, until details of the materials to be used for the external walls and roofs (including the provision of birds/bat boxes) of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: This condition is pre-commencement as materials are ordered prior to construction and to control the appearance of the building in the interests of the visual amenities of the locality and in the interest of ensuring a net gain in biodiversity.
(Policy BE8 SBLPR and Sections 7 & 11, NPPF)**

- 11 **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: This condition is pre-commencement as ground levels must be agreed on site prior to construction to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.
(Policy BE8 SBLPR and Section 7, NPPF)**

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

Reason: In the interest of amenity.
(Policy BE8 SBLPR and Section 7, NPPF)

- 13 The planting and landscaping scheme shown on approved drawings 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) and shall be maintained in accordance with the approved landscape management plan. 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.
(Policy BE8 SBLPR and Sections 7 & 11, NPPF)

- 14 No part of the development hereby approved shall be brought into use until a Public Art Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall address suitable themes and artistic opportunities; strategies for pupil involvement as appropriate; timescales for implementation of the strategy; and project management and long-term maintenance arrangements. The Public Art Strategy shall then be implemented in full as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting local distinctiveness and creating a

sense of place, in accordance with Policy BE8 SBLPR and the Central Bedfordshire Design Guide.

- 15 **No development shall take place until a Construction Management/Method Plan and Statement with respect to the construction phase of the development have been submitted to and approved in writing by the Local Planning Authority. Development works shall be undertaken in accordance with the approved Construction Management/Method Statement/Plan. The details shall include, amongst other things, access arrangements for construction vehicles; compounds, including storage of plant and materials; details of how the road shall be kept clear of mud deposit or other extraneous material; loading and unloading areas and construction workers parking arrangements.**

Reason: This condition is pre-commencement as the method of management of construction traffic and/or materials on site is required before works begin, in the interest of safeguarding the local residential amenity.

(Policy BE8 SBLPR and Section 4, 7 and 13 of the NPPF)

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

Reason: This condition is pre-commencement as the details and materials used in construction must be ordered in advance of construction and in the interests of sustainability.

(Section 10 of the NPPF)

- 17 **No development shall commence until a detailed surface water drainage scheme for the site and an assessment of the hydrological and hydrogeological context of the development, including a plan for long term maintenance and management, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system has been calculated as well as how it will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: This condition is pre-commencement as the surface water drainage scheme will require ground works to be carried out prior to construction, to ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the NPPF.

- 18 No building shall be occupied until the junction of the proposed vehicular access within the highway has been constructed in accordance with the approved details shown on drawing number 17078/002 Rev A (Access).

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

(Policy BE8 SBLPR and Section 4, NPPF)

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 38992/001 rev B Drainage Layout Sheet 1 of 2, 38992_002 E Proposed Drainage Layout Sheet 2 of 2, Drainage Strategy (38992-004) received 02.05.17, 14.100.1.100.1 rev 32 Site Layout Coloured, 14.100.100.1.SH rev 32 Storey Height Plan, 14.100.1.100.MAT rev 32 Wall & Roof Materials, 14.100.1.101 Rev A Site Location Plan, 14.100.1.101.2 rev 22 Site layout (with altered area), 14.100.1.200 rev - Single Garage, 14.100.1.201 rev -Double Garage, 14.100.1.A01 rev D Bickleigh House Type, 14.100.1.A02 rev B Bickleigh House Type (Contemporary), 14.100.1.B01 rev D Hanbury House Type, 14.100.1.B02 rev C Hanbury House Type (Contemporary), 14.100.1.C01 rev C Hatfield House Type, 14.100.1.C02 rev - Hatfield House Type (Contemporary), 14.100.1.D01 rev D Alnwick House Type, 14.100.1.D02 rev C Alnwick House Type (Contemporary), 14.100.1.E01 rev C Leicester House Type (Elevations), 14.100.1.E02 rev B Leicester House Type (Plans), 14.100.1.F01 rev D Moseley House Type, 14.100.1.F02 rev B Moseley House Type (Contemporary), 14.100.FL.01 rev E Flat Block 1 Plans, 14.100.FL.01.1 rev C Flat Block 1 Elevations, 14.100.1.FL.02 rev C Flat Block 2 (Plans), 14.100.1.FL.02.1 rev C Flat Block 2 (Elevations), 14.100.1.FL.03 rev C Flat Block 3 (Plans), 14.100.1.FL.03.1 rev C Flat Block 3 (Elevations), 14.100.1.FL.04 rev D Flat Block 4 (Plans), 14.100.1.FL.04.1 rev D Flat Block 4 (Elevations), 14.100.FL.05 rev E Flat Block 5 (Plans), 14.100.FL.05.1 rev E Flat Block 5 (Elevations), 14.100.1.FL.06 rev C Flat Block 6 (Plans), 14.100.1.FL.06.1 rev C Flat Block 6 (Elevations), 14.100.1.FL.07 rev C Flat Block 7 (Plans), 14.100.1.FL.07.1 rev C Flat Block 7 (Elevations), 14.100.1.FL.08 rev C Flat Block 8 (Plans), 14.100.1.FL.08.1 rev C Flat Block 8 (Elevations), 14.100.1.FL.09 rev C Flat Block 9 (Plans), 14.100.1.FL.09.1 rev C Flat Block 9 (Elevations), 14.100.1.FL.10 rev C Flat Block 10 (Plans), 14.100.1.FL.10.1 rev C Flat Block 10 (Elevations), 14.100.1.FL.11 rev C Flat Block 11 (Plans), 14.100.1.FL.11.1 rev C Flat Block 11 (Elevations), 14.100.1.FL.12 rev C Flat Block 12 (Plans), 14.100.1.FL.12.1 rev C Flat Block 12 (Elevations), 14.100.1.H01 rev – Lumley House Types (Contemporary – Plans), 14.100.1.H02 rev – Lumley House Types (Contemporary – Elevations), 14.100.1.J02 rev B Rockingham House Type (Contemporary), 14.100.1.K01 rev A – Greyfriars House Type, 14.100.1.SS.01 rev H Street Scenes 1, 14.100.1.SS.02 rev H Street Scenes 2, 14.100.1.SS.03 rev H Street Scenes 3, 14.100.1.101.3 rev 32 Cycle Parking, 14.100.1.101.4 Affordable Housing, JSL2463 110 rev F Landscape Strategy, JSL2463 111 rev E Landscape Management Zones, JSL2463 210 rev D Hard Landscape, JSL2463 300 rev A Illustrative sections, JSL2463 510 rev D Soft Landscape Planting Plan 1 of 2, JSL2463 511 rev D Soft Landscape Planting Plan 2 of 2, JSL2463 550 rev G Tree and shrub palette, JSL2463 570 rev E Landscape Management Plan, JSL2463 705 rev D Tree

Constraints & Shade Analysis, JSL2463 710 rev C Tree Protection Removal Plan 1 of 2, JSL2463 711 rev C Tree Protection Removal Plan 2 of 2, 17380/CHUR/5/500 rev E Refuse Vehicle Tracking, JSL2463 873 Ecology Statement, Energy Statement (May 2017), 16065A-1 Noise Assessment, 37341/5501 Rev A Residential Travel Plan, 37341/5501 Rev A Transport Assessment, Site Safety Assessment 1687C Jan 2017, 17078/002 Rev A (Access), BRD2297-0R2-B Contamination Assessment and Remediation Strategy (Oct 2015) & QTS Enviro Report 14-27284.

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

- 20 **Prior to the commencement of works an updated assessment of badger activity on site shall be submitted to and approved by the Local Planning Authority. This should inform a method statement detailing how ground works will proceed in preparing the LEAP and ongoing management of the area post construction to prevent disturbance to badgers.**

Reason: This condition is pre-commencement as updated assessment will inform other details to be approved under this permission and to ensure proper consideration of the impact of the development on ecology in accordance with the NPPF.

INFORMATIVE NOTES TO APPLICANT

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

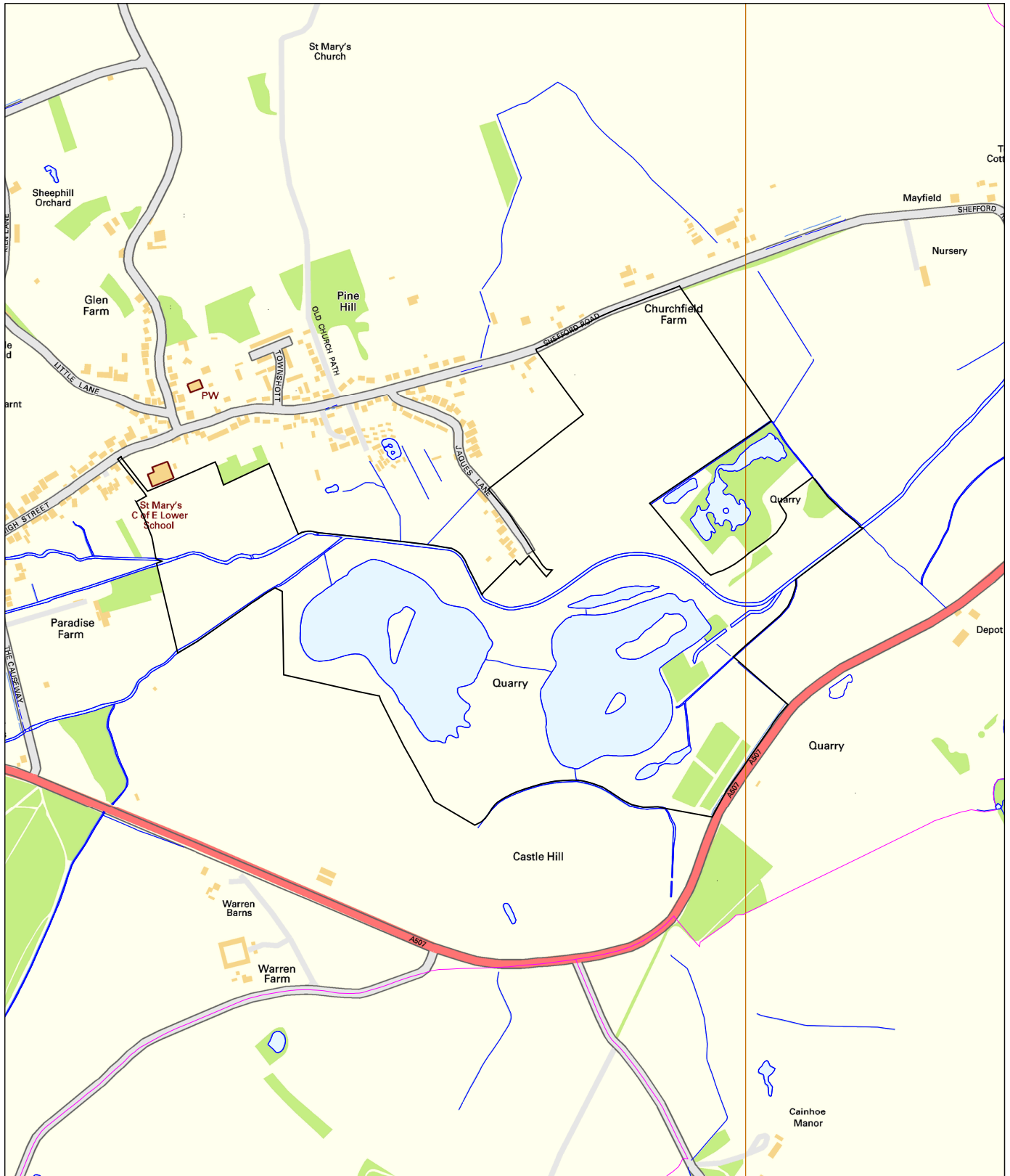
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

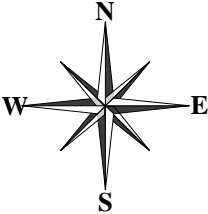
The Council acted pro-actively through engagement with the applicant at pre-application stage and during the application process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (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/16/05127/OUT
	Date: 05:June:2017 Map Sheet No	
Scale: 1:10000	Land at Former Fullers Earth Quarry, Clophill.	

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Item No. 07

APPLICATION NUMBER	CB/16/05127/OUT
LOCATION	Land at the former Fullers Earth Quarry, Ampthill Road, Clophill, Beds
PROPOSAL	Hybrid Planning Application to deliver the Clophill Lakes development on land at the former Fullers Earth Quarry. Part A: Full planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor parkland space. Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 50 dwellings along with children's play facility and associated landscaping and infrastructure works.
PARISH	Clophill
WARD	Ampthill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lisa Newlands
DATE REGISTERED	10 November 2016
EXPIRY DATE	09 February 2017
APPLICANT	Gallagher Estates
AGENT	Mott MacDonald
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Major application with Parish Council objection and departure from policy. Hybrid Planning Application - Approve subject to the completion of a satisfactory S106 legal agreement

Summary of Recommendation

The residential element of the proposal would be in conflict with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). However, given the significant public benefit in terms of the delivery of the Lakes and associated public access and ecological/ landscape enhancements it is considered that the benefits of the proposal would outweigh any potential harm caused by the development and that the proposal would result in a sustainable form of development in accordance with the NPPF. The proposal is considered to comply with policies in respect of access and highways, landscape, character and appearance, historic environment, neighboring amenity and biodiversity. It is therefore recommended that planning permission be approved.

Site Location:

The application site forms part of the former Fullers Earth Quarry located to the south-east of the village of Clophill.

The site comprises 38.72 hectares of agricultural land around two quarry lakes

surrounded by areas that include planted woodland, a flood meadow and open grassland. Cainhoe Castle Motte and Bailey is located adjacent to the southern corner of the site and is designated as a Scheduled Ancient Monument.

The River Flit and subsidiary watercourses also run east-west through the centre of the site and a large part of the site is identified as being situated in Flood Zones 2 and 3 with the remaining in Flood zone 1. The proposed residential element of the development would be within Flood Zone 1 only.

The northern boundary of the site is largely defined by rear property boundaries and Shefford Road/ High Street. Shefford Road continues to bound the site towards the east before exiting onto the A507, which defines the southern boundary of the site. A sewage works and agricultural land defines the western and north western boundary of the site.

The site is located outside of the settlement envelope of Clophill, with the majority being within the Clophill Conservation Area.

The village currently benefits from a range of local amenities including a Lower School, Church, village hall, playing fields, pubs, and a village post office/ store at the Village Green.

The closest bus stop would be some 300m away from the site opposite the former Rising Sun Public House, with a further bus stop some 600m away opposite St Marys Church. The Lower School would be some 800m away, with the village centre, comprising the Village Hall, post office and store some 1.7km away.

The Application:

A hybrid application has been submitted for the proposed development. The application is split into two parts.

Part A: Full Planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor parkland space.

Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 50 dwellings along with children's play facility and associated landscaping and infrastructure works.

The planning application has been supported by a full suite of documents.

The overall design concept for the proposal is to create an area of open space which can be easily accessed from the village. The Lakes area is proposed to be opened up for public access to create a recreational space for the local community.

The proposed housing development would be accessed from Shefford Road on the northern boundary of the site. The proposal identifies up to 50 dwellings on the area of land identified at a low density of 25 dph to be in keeping with the village character of Clophill. An enclosed area of open space is proposed on the south western corner of the residential parcel to include a play area, water attenuation and native boundary planting.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy and Sustainable Communities
CS4 Linking Communities - Accessibility and Transport
CS5 Providing Homes
CS6 Delivery and Timing of Housing Provision
CS7 Affordable Housing
CS13 Climate Change
CS14 Heritage
CS16 Landscape and Woodland
CS17 Green Infrastructure
CS18 Biodiversity and Geological Conservation

DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development Within and Beyond Settlement Envelopes
DM9 Providing a Range of Transport
DM10 Housing Mix
DM13 Heritage in Development
DM14 Landscape and Woodland
DM15 Biodiversity
DM16 Green Infrastructure
DM17 Accessible Green Spaces

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.

Minerals and Waste Constraints

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

Minerals and Waste Adopted Plan Saved Policies

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)
Sustainable Drainage Guidance SPD (April 2014)
The Leisure Strategy (March 2014)
Central Bedfordshire Landscape Character Assessment (2015)

Relevant Planning History:

Application:	Planning	Number:	CB/16/00241/OUT
Validated:	25/01/2016	Type:	Outline Application
Status:	Withdrawn	Date:	03/11/2016
Summary:		Decision:	Application Withdrawn
Description:	Hybrid Planning Application to deliver the Clophill Lakes Development on land at the former Fullers Earth Quarry. Part A: Full planning application for a series of general improvement measures comprising of access, landscape and ecological works to provide a new outdoor recreational facility. Part B: Outline planning application with all matters reserved (except for access) for a residential development of up to 90 dwellings along with children's play facilities and associated landscaping and infrastructure works.		
Application:	Planning	Number:	CB/15/02111/PAPC
Validated:	18/06/2015	Type:	Pre-Application - Charging Fee
Status:	Decided	Date:	20/08/2015
Summary:		Decision:	Pre-App Charging Fee Advice Released
Description:	Pre-Application Charging Advice 100 dwellings		

Consultees:

Parish/Town Council 02/06/17

The Parish Council remain encouraged that Gallagher's are continuing to develop their proposals. However, we are disappointed that the vital information required to determine what is fundamentally an enabling application, has not been addressed.

For example, the updated documents do not address important aspects such as;

- land transfer agreements and specifically the need for the earliest possible transfer
- management plans that are pivotal to the community parkland
- provisions such as capital works to establish the community parkland
- service contracts/agreements to ensure that the community parkland remains a viable, safe, and fit for purpose community asset
- progress on appointing a suitable qualified partner.

The Parish Council would expect that a preferred partner would be appointed at this stage to help scope and develop the community parkland management plans, plus advise regarding its mobilisation. The Parish Council has been aware of Gallagher's dialogue with the Greensand

Trust in this regard, however this appears to have ceased in recent weeks. We also believe that the documents provided by Mott Macdonald were not developed with specialist organisations such as the Greensand Trust, which as you will appreciate causes the Parish Council concern given its speciality and importance to the overall application.

As a result, the Parish Council voted unanimously to continue to uphold its position to object to the application.

November 2016

Summary: It was resolved at the November 2016 committee meeting to object to the planning application. Inadequate detail and uncertainty raise concerns regarding the scheme and whether it is practical, achievable and or viable in relation to the following matters:

- Land disposal mechanisms
- Prospective future ownerships and management
- Feasibility, project management, risk exposure and contingencies in general
- Any firm commitment in respect of the land to the rear of the village school and or monies to be ring-fenced for education
- Restrictive covenants/ other constraints suitable and sufficient to protect the land 'in perpetuity'
- Visual impact of the housing in an organic, countryside recognised as being particularly attractive by both CBC and CPRE
- Design, access, traffic management and tolerance/ capacity of existing infrastructure both during as well as on completion of building works
- Ecology and preservation
- Planning history, lessons learnt and cumulative impact on string or new town development on rural farmland.

Furthermore, in this resubmission for a reduced scheme, the applicant has not reduced the area boundary relating to the residential component and seeks all matters reserved except access.

It is clear to the Parish Council that these considerations and factors together, taken collectively, present a clear and present threat of expansion onto surrounding land, over and above what is currently indicated on the site plans.

This lack of detail and uncertainty surrounding the proposals would create a damning precedent, favouring anyone with land in this village or those nearby who

seeks to build outside an existing settlement envelope. Any control local authorities might otherwise have had to limit inappropriate or unwanted development in rural areas could be completely undermined.

It is the view of the Parish Council that the applicant has failed to demonstrate that the benefits of the development would outweigh the significant and demonstrable harm. The residential element of the scheme purportedly 'enables' that of the public open space yet detail from the applicant is conspicuously lacking with regards to how, in practice, management will be achieved and or remain financially sustainable. It has not supplied an appropriate level of robust, tangible evidence to validate the assumptions upon which its case is based; as such the Parish Council cannot have reasonable confidence about either:

- Claims made about value or community benefit
- Of the whole scheme viability, deliverability, sustainability and resilience to changing market forces.

Therefore, the position is unchanged and the Parish Council objects to the application.

Aspects supported:

- Supports the lakes component of the application with regard to the change in concept to that of a light touch leisure area, public open space and nature reserve providing it is sufficient and can be viably managed in the longer term
- Supports the establishment, for use of all, of the intended footpaths, cycle ways, bridle ways and would want these to be included as such on definitive map in order to protect them over time
- The alteration to the original version of withdrawing the housing proposed for Jacques Lane and the extension of fallow land at that location, as well as the more recent reduction in number of proposed dwellings and improved proportion of affordable properties is also encouraging.

Aspects opposed:

- The proposed development lies outside of the settlement envelope, inadequate detail of what mitigation will be used to neutralise the threat this poses has been offered by the applicant
- The scale of the proposed development scheme vastly exceeds the housing need within the parish
- Public access to and rural protection of the site is, and always has been, key for the Parish Council and the community of Clophill that it serves; the Parish Plan (2008) demonstrates this as top

remains high

- The criticality of this element was recognised by the applicant and its representatives and commitment given by them on at least 3 occasions – in spite of this the red line boundary excludes the majority of the applicant's holding and the application particulars do not adequately define future ownership of the public access, non-residential element of the land
- The failure to include all land controlled by the applicant is likely to render the sustainable management of any leisure area, nature reserve and arable acreage as a green asset unviable.
- The Parish Council believes that the result of approving the scheme as it stands today would be 'net negative impact' on the community
- Inadequate provision is made to protect the area's desirable characteristics
- The Parish Council are concerned that the entire land ownership of Gallaghers in this area was put forward through the call for sites recently – adding greater to the amount of uncertainty
- Parish Council are concerned by comments from Anglian Water and other consultees in terms of burden on infrastructure and service provision that is already struggling to cope.
- The fishing lakes should be included within the land transfer as a stream of revenue and due to the popularity of fishing.
- The scheduled ancient monument should be included with the land transfer and a suitable management plan put in place
- Parking should be provided near the fishing lakes area – the proposed visitor car park within the residential area will cause conflict
- Environmental Assessment is inadequate
- Proximity of the residential development to Shefford Road and the impact on the rural feel is inappropriate
- Transport links are exaggerated within the Transport Assessment
- Frequent, peak time blockages occur in Clophill High Street and all junctions with A507/ A6 the proposal will exacerbate this
- Amenities/ services are exaggerated.

Highways DM

No objection subject to conditions. The site access proposal has been modelled using Picardy software and operates within capacity and the results are considered satisfactory. The developer also proposes more localised improvements in order to improve access by more

sustainable modes of transport which is considered acceptable. The indicative residential layout shows visitor parking provision for the country park.

Access to the residential proposal will be taken from within the 40mph speed limit which requires a visibility splay of 120.0m. It is possible for this to be achieved however it does require the removal of some of the frontage boundary hedge. Part of the proposal is a reduction in speed limit to 30mph. However, this would be subject to consultation and would therefore not be guaranteed. Subject to conditions the proposal is considered acceptable in highway terms.

Tree and Landscape Officer

No objection subject to conditions regarding a detailed Tree Protection Plan and detailed planting proposals.

Archaeology

The documents submitted in support of this application contain conflicting information which makes it difficult to understand the potential impact of the proposed development on the setting of the Cainhoe Castle Scheduled Monument. In addition, the absence of a Conservation Management Plan and detailed information regarding who would acquire and manage the Scheduled Monument in future means that it is not possible to assess whether any harm caused by the development to the setting of Cainhoe Castle would be outweighed by the public benefits of the scheme. Therefore, this application does not meet with the requirements of paragraphs 128, and 132-134 of the NPPF.

Public Protection

The developer should apply a watching brief for signs of unexpected contamination during the development phase. I would ask that the following informative is attached to any planning permission granted;

As the site is of long historic use there may be unexpected materials or structures in the ground. It is the responsibility of the Applicant to ensure safe and secure conditions, so a watching brief for signs of contamination should be considered and any indications of potential contamination problems should be forwarded to the pollution team at Central Bedfordshire Council for advice, on 0300 300 8000 or via pollution@centralbedfordshire.gov.uk

Ecology

Overall I do not object to the principal of development on this site but the current indicative layout will result in unnecessary disturbance to badgers and I would ask that it is revisited to ensure any reserved matter application retains an adequate buffer and amends the proposed construction techniques to remove any potential risk of harm.

RSPB

No comments received

The Wildlife Trust

Comments regarding the following:

- The river Flit and Cainhoe lakes County Wildlife Sites are developing their ecological interest in the absence of habitat management interventions and with very limited public access. From a biodiversity perspective if this situation were to continue I would expect that the biodiversity interest would continue to evolve as the site matures. A residential development is not essential to continuation of wildlife interest within the CWS.
- If public access becomes established within the CWS there will be a need for resources to be made available to manage that access and to manage habitat. This latest application indicates that funding would come from the proposed housing but doesn't give any detail. If the Council were minded to grant this application the development within the CWS area should not be implemented until such time as the Local Planning Authority has agreed a funding package which secures the long term future of the site.
- The Landscape and Ecology Framework Management Plan submitted as part of this latest application covers issues and concerns raised earlier. It does not in itself have enough detail to properly steer the detail of management. If this application is permitted the Local Planning Authority should reserve to condition the creation of a more detailed plan. I would expect that those implementing the plan should report annually to the Authority on both progress with implementing the plan and monitoring of key wildlife receptors. It might be expected that, at least initially, annual alterations to planned activity may be needed to take account in changes in public use and issues which don't come to light until such time as work starts on the ground.
- Failure to properly join together the range of technical reports submitted. The application should start from the premise that harm should be avoided rather than just taking it as inevitable. The developers should come up with a convincing solution that will not cause disturbance to the badger sett.
- The ecological appraisal seems to underplay the significance of the badger sett on land adjacent to the proposed housing. A housing layout which runs a series of gardens down to the area occupied by the sett seems likely to be setting up a

new point of conflict. It would seem far better, if development were to happen, for there to be a band of greenspace separating the closely managed gardens from the traditional routes that seem likely to come into the proposed development site. In this way there would be more scope for badgers to disperse into the remaining agricultural land.

Natural England	<p>Statutory Nature Conservation Sites – No objection Soils and Land Quality – outside the scope for consultation as it would not appear to lead to the loss of over 20ha of best and most versatile agricultural land. Sites of Special Scientific Interest Impact Risk Zones – No comments</p>
Butterfly Conservation	No comments received
Anglian Water Services	<p>No comments received in terms of this application but on the previous application they made the following comments: Wastewater Treatment – the foul drainage from this development is in the catchment of Clophill Water Recycling Centre that will have available capacity for these flows. Foul sewerage Network – development may lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures. Request condition requiring a drainage strategy. Surface Water Disposal – preferred method would be a sustainable drainage system with connection to the sewer as the last option. The surface water strategy/ flood risk assessment submitted with the application relevant to Anglian Water is unacceptable. There are no public surface water sewers within the vicinity of the development. Therefore Anglian Water will be unable to provide the site with a feasible solution of surface water disposal within the current assets. Request condition requiring a surface water management strategy.</p>
Environment Agency	No objection
IDB	The surface water drainage strategy submitted with the application is acceptable in principle.
Minerals and Waste	<p>There are no mineral safeguarding or sterilisation issues arising from this application. The former fullers earth quarry has been worked and restored and the statutory 5 year aftercare period has been completed.</p> <p>The submitted ground investigation and geotechnical</p>

studies identify the widespread presence of 'made ground' to significant depths where residential development is proposed. The re-worked superficial overburden deposits are derived from mineral extraction and backfilling operations. The backfill material would not have been placed and compacted to an appropriate standard to support future built development. According to the Council's mineral planning records, only indigenous material was used to reinstate the workings; imported waste materials are believed to be absent.

In line with paragraph 109 of the NPPF, supplementary ground investigation and geotechnical work will need to be produced (as part of the reserved matter submission) in order to identify any necessary ground improvements to mitigate potential future settlement and specific foundation requirements. This, in turn, is likely to influence the final layout of the estate.

At 2011 planning enforcement inquiry, evidence was put forward by the appellants to indicate that the bank edges of the two main lakes had stabilised over time such that they would be unlikely to present a serious safety risk if public access to the restored site was permitted. It was also argued that any footpath on the low lying land between the lakes might need to consist of a boardwalk due to flooded/ waterlogged ground.

Rights of Way Officer

I have looked through the documentation provided and have a few comments to make. Fundamentally I have no objection to the application; the developer is retaining the existing Public Footpath No.3 through the site whilst providing several new footpath routes that link the proposed new housing with the lakes and existing rights of way. However, I would like to see all of the new routes legally dedicated as Public Rights of Way, particularly the central footpath route, which links Shefford Road, the Lakes and Fishing Ponds. I would also like to see this route upgraded a Public Bridleway or cycleway. It would also be useful if the Footpath linking to the new residential area off this main footpath link could also be upgraded to cycleway, thereby providing an off road cycle route.

The proposed surfaced widths would not need to change as equestrian users would make use of the grassed area immediately adjacent to the surfaced path. There would in fact be no significant impact to the developer in altering the legal status from footpath to bridleway/cycleway.

I also note the intension of the applicant to divert the southern end of Public Footpath No. 3 out of the SAM site and into the adjacent field. This will undoubtedly help

protect further erosion of the SAM. However, as the diversion would not be required to allow the development to take place, it would be unsuitable to use the Town & Country Planning Act to divert the path. I would therefore suggest a separate application is made via the Definitive Map Officer, irrespective of the outcome of the planning decision under the Highways Act to move this route.

Finally, the proposed bridle gate located at Shefford Road must comply to current British Standards and be two way opening.'

Ramblers Association

No comments received

Historic England

We consider Cainhoe Castle to be an important heritage asset, and it has also been identified in the application as a heritage asset with a high overall significance. It is designated as a scheduled ancient monument and is an impressive and well preserved earthwork Motte and Bailey castle with good views over the former quarry towards the development area. It is a heritage asset with high aesthetic, historical, social and evidential values and it has a strong association with the village of Clophill, the lost village of Cainhoe, and other medieval sites such as St Mary's Church which sits on the hill above the village and overlooks the castle.

Primary concern would be the impact of the development upon the significance of the castle though a development within its setting. This would primarily be from the residential development but also potentially from the development associated with the enhancement and restoration of the quarry. In the previous application it was concluded that it would result in a degree of harm to the setting of the castle.

We have considered the revised application and recognise that the housing scheme has been reduced in scale, with the housing now further from the castle. We remain concerned about the changes to the setting of the castle however, we have assessed the new proposal and recognise that fewer houses and the revised masterplan would result in a lower level of harm. We also accept that screening is likely to be effective at that distance. The details of the development would however, need to be agreed prior to the full permission being accepted, this includes further consultation over the layout and design as well as any proposed screening and planting. We note that the design and access statement also acknowledges that the proposal would result in a degree of harm.

We also recognise that the proposal for the lakes has been reduced in scope from the previous application. It

also includes new interpretation for the castle, which we would see as an enhancement.

In previous advice we have also raised the issue of the castle's ownership and future management. We recognise that the applicant has included a condition assessment and that has identified that the overall condition of the castle is good. The report has however, raised a number of specific issues that would need to be addressed in terms of the overall long-term management of the site. We recognise the application represents a good opportunity to improve the management of the castle but remain concerned about the overall impact.

There are still a number of questions to be resolved before this application would be acceptable in principle. In particular we wish to see a resolution in terms of overall ownership of the castle and which body/ group would be responsible for its management. Also, require a clear undertaking from the applicant to provide a management plan for the castle that would resolve the issues identified in the condition assessment.

SuD's Officer

We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage subject to planning conditions.

Housing Development Officer

I support this application as it provides for 35% affordable housing which complies with the affordable housing policy requirement of 35%. However, one point that needs to be addressed is the overall total number of affordable units at 35% should be 18 affordable and not 17 affordable as indicated within the Planning Statement. 17.5 (35%) is rounded up to make a requirement of 18 affordable units.

The supporting documentation does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) has identified a tenure requirement from qualifying affordable housing sites as being 73% affordable rent and 27% intermediate tenure. This would make a requirement of 13 units of affordable rent and 5 units of intermediate tenure (shared ownership) from this proposed development.

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally prescribed space standards. We expect the affordable housing to be let in accordance with the

Council's allocation scheme and enforced through an agreed nominations agreement with the Council.

Cycling & Walking
Officer

No comments received

Green Infrastructure
Officer

The smaller scale of the residential development, set within retained and enhanced boundary vegetation, providing a substantial landscape buffer, is an improvement to the previously submitted scheme. Similarly, the access and management improvements to the important green infrastructure assets in the Flit Valley are welcome.

However, the fragmentation of the green infrastructure assets, with some within and some outside the red line of the application remains disappointing, given the applicant's wider land ownership, and the opportunity this provides to enable joined up management of the wider area for access, biodiversity, landscape and heritage interest. An agreed management plan, securing joined up management of the greenspaces included within the red line, plus the Lakes themselves, and Cainhoe Castle should be sought as part of this application to maximise green infrastructure benefits.

Also, there has been a long held community expectation of public access to the Lakes area, which this proposal would contribute to. However, they do not provide improved access to the area by visitors. Given the interest in access to the area, it is likely the people will want to travel by car to visit the area, and the opportunity to manage this access should be taken. Currently, there are no facilities provided for car visitors, which is likely to lead to misuse of parking areas within the residential development, or informal parking at highway entrances. The opportunity to improve visitor access (e.g. through the use of the existing hard standing at area 12 of the landscape masterplan) should be taken as part of this application.

Sustainable
Development Officer

I would like a Sustainability Statement to be submitted with the reserved matters application demonstrating how the requirements of the above policies would be met. The statement should cover:

- Energy efficiency,
- Renewable energy contribution,
- Overheating and ventilation in dwellings,
- Water efficiency.

Should permission be granted for this development I would expect the following conditions to be attached to ensure that policy DM1 and DM2 requirements are met:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110

litres per person per day.

Waste Services

The Council's waste collection pattern for Clophill is as follows:

Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy

Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

Wherever possible, refuse collection vehicles will only use adopted highways. If the access road is to be used, it must be to adoptable standards. Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. Refuse collection crews will move bins a maximum of 10m and reverse a maximum of 15m. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags per property. Bin collection points will be needed for some properties, including terraced properties.

Education Officer

Lower School

This development will create a need for additional capacity at St Mary's Lower School. The school does not currently have the site capacity to expand further, so the lower school expansion land would be required from this development. Contribution of £115,220.00 required in addition to the land to create additional classbases.

Middle School

Clophill sits within the Harlington Planning Area where there is a forecast deficit of middle school places. An expansion of Arnold Middle School is planned from September 2018 to provide additional places for the Harlington Pyramid. Contribution of £115,939.20 required towards the expansion of Arnold Middle School.

Upper School

The catchment upper school is Harlington Academy. As with the middle school places, the latest forecasts for Harlington Academy illustrate the need for additional capacity to manage demand. A development of this size will place additional pressure on the need for school places. Contribution of £142,172.16 required towards the future expansion of Harlington Academy to meet forecast

demand for pupil places.

Early Years Officer

Contribution of £34,566.00 required for provision of early years places resulting from the residential development.

Landscape Officer

I welcome this proposal to bring forward the new Country Park. The reduction in enabling development is also welcomed, as long as we can be assured that this is not going to limit the quality of the regeneration of the site or affect the timescale.

I still have concerns about the lack of vehicular access and car parking for the general public and other amenities such as toilet facilities and a site management facility. I would also have preferred Cainhoe Castle to be part of the overall scheme, as I note the concerns raised in the Landscape and Ecology Management Plan about the need to ensure grazing of the grassland at the Castle can still be achieved. Likewise, separating out the lake margins from the site management is not ideal.

The detailed landscape specification, which would include details of path surfacing as well as planting proposals, will be required as a Condition.

CAUSE Residents Group

15/12/16 Acknowledge the work that Gallaghers have done in the resubmission but there are a number of significant criteria that have still not been met.

- Uncertainty of land ownership and lack of robust management plans – risk resulting from the uncertainty of the Lakes ownership and future uses. Concern that they will renege on their commitment. This concern is supported by the CBC Call for Sites published in May 2016, in which Gallagher Estates separately put forward the whole of the Lakes site for residential development
- Detrimental Impact on essential services, such as water, sewage, Gas, electricity and broadband due to ageing and poor infrastructure and capacity concerns
- Outside the settlement envelope leading to ripple and ribbon development some distance from local amenities which are the other end of the village some mile away.
- Cumulative impact and proposed quantum of houses – significant risk of overdevelopment in Clophill. Severe consequences on infrastructure, services, traffic and schools as well as other important village and community facilities
- Impact on village natural habitats, ecology and biodiversity

- Land ownership and management plan – we understand that progress is being made and would emphasise the importance of the following five aspects;
 - a. Clear process and plan incl. actions, deliverables, governance, approvals, and timescales, which is understood by all parties. This should include a sequenced approach with triggers/approval gates that de-risk any potential deviation by GE
 - b. Robust mechanism to transfer the land/freehold to a partner who will preserve and maintain it in perpetuity as an open space, which for clarity is “a low key site for the quiet enjoyment of nature”
 - c. Clear process and criteria to assess and appoint a partner with the required capability, competencies, experience, and operating platform etc. As per point a. this also needs to be understood by all parties
 - d. Robust management plan and regime that sets out all the requirements (to be performed and managed by the partner) to ensure that the open space remains a safe, viable, and appropriate asset for Clophill and the local community
 - e. Governance structure that independently ensures that the partner is performing to the standards expected by the key stakeholders such as the PC and CBC, and also proactively engages with the Clophill community.

This objection should cease to apply once points a-e above are met. As offered in previous emails and correspondence, the Residents Group is ready and willing to support the above requirements.

- Detrimental Infrastructure on infrastructure - While GE continue to assure us that they have taken appropriate steps to consult with the essential services providers, we believe that CBC should independently review and validate their claims, and if required (in cases where doubt and/or ambiguity might exist) include appropriate recourse in the S106 and/or other means available to them to ensure fit for purpose infrastructure and services.

This objection should cease to apply once CBC have conducted their diligence

- Development outside of the settlement envelope

and ripple effect - if the application is delivered exactly as GE are now proposing then in our view it would represent an enabling argument by virtue of the benefit of the open space being afforded to the Clophill community via a partner arrangement. Ripple development and risk pertaining to the GE owned land would be prevented as a result of covenants precluding any development beyond the agreed maximum of 50 houses.

This objection should cease to apply if the application is delivered as is being proposed. We believe that it would not set a precedent for any future application(s) given that it demonstrates a community benefit due to its proposed enabling argument, plus the premise that CBC would continue to automatically reject any subsequent application(s) outside the envelope per current custom and practice (unless a substantive reason existed otherwise).

- Cumulative impact regarding quantum of houses - if the application is delivered with a maximum of 50 houses, coupled with the potential of a further c.40 houses relating to the Readshill application (which is subject to a pending enquiry) then Clophill would deliver potentially c.90 houses towards the CBC Local Plan. While this is notably three times more than the c.30 set out in the current Local Plan (to 2031) it would arguably be sustainable if;
 - a. No further development takes place in the village barring potentially a handful of infill applications (c.10 maximum). In which case Clophill would be limited to a maximum of c.100 houses until 2031
 - b. Condition 2 above is met. In which case there would be no detrimental infrastructure impact resulting from the Lakes application if it is approved
 - c. Readshill application (if approved) does not exceed c.40 houses and includes a robust assessment of infrastructure impacts, whereby any required enhancements identified as part of the assessment are implemented
 - d. CBC independently assess the overall infrastructure impact based on the cumulative quantum of c.100 houses (taking a holistic view over both applications and any other relevant pending applications) and confirm/validate that there would be no detriment to both essential and core services (those being water, sewage, gas, electricity, schools, roadways, lighting, paths, bus services etc.).

This objection should cease to apply if points a-d above

are met. Please note that we included a reference to the proposed Readshill Development as we feel it is relevant to the “bigger picture for Clophill” and an important circumstance that we believe CBC would consider with regard to its macro planning.

- Impacts on natural habitats and ecology – GE have taken positive steps to address a number of the concerns raised relating to natural habitats and ecology, however given that this is considered to be an enabling application we feel that the promised biodiversity net gains and benefits are not adequate. From the Residents Group perspective, we believe that the major outstanding concern relates to the badger setts located to the east of the Pump House on the Shefford Road. We believe that the expert advice provided by the Badger Trust, Wildlife Trust, and the CBC Ecologist should be implemented. This recommends;
 - a. A 30m width green corridor along the eastern boundary of The Pump House and the boundary of the new development (which isn't the case currently). This would allow the badgers continued access to their sett and foraging grounds, and reduce the noise and disturbance caused by vibration from both the vibro treatment (ground piling) and construction works. In addition, this acknowledges the existing easement to the electricity substation along this strip of land.

This objection should cease to apply if the above point is met, plus an appropriate partner to manage the open space (who possesses the required capability, competencies, experience, and operating platform etc.) is appointed.

If and when the Residents Group are comfortable that all of the above conditions will be met, they will engage and communicate with the Clophill community to update them and endeavour to secure their positive support to the proposed development. All communications would of course be carried out in collaboration with the PC.

Conservation Officer

the current proposal is an acceptable development and would not have a detrimental impact on the character of the Clophill Conservation Area. Therefore I raise NO OBJECTION on the basis that the proposal would satisfy the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as supported by the aims of Section 12 of the NPPF.

CPRE

Objection on the following grounds:

- Not a natural extension to the rural village – linear in nature. This application proposes an unnatural clump of housing outside of the settlement envelope
- Detrimental impact on views from Cainhoe Castle – changing the outlook from this heritage site
- Urbanisation of Clophill would have a devastating impact on the surrounding countryside in terms of light and noise pollution
- The minimal proposals for the Lakes area do not justify the unacceptable development outside of the settlement envelope of Clophill
- The housing element should be considered on its merits as a development of 50 homes on an unsuitable and unsustainable site
- Application states that the lakes would be held in public ownership – however, the appropriate body and management plan remain unidentified within the Statement
- The cost of stewardship is not identified or allocated – difficult to believe such development could result in required net increase in biodiversity and ecological improvement.
- Threat of deterioration of the scheduled ancient monument because of increased footfall
- A failure to resist sites outside of the local plan allocations will result in long lasting detrimental effects on the countryside, agriculture, transport, tourism, business and the quality of life in many towns and villages in Bedfordshire.
- Developer has no confidence that the site would be included within the Plan and seeks to force agreement based on NPPF presumption in favour of sustainable development
- The site does not meet the criteria of sustainable development and should be refused
- Consideration should be given to Clophill's emerging Neighbourhood Plan
- Cumulative impact on village of Clophill and the landscape in the area, if this and other current applications were approved (Readshill Hill Quarry)
- Should be refused on similar grounds to that of Jays Farm, Potton (CB/16/02960), urbanisation effect, poor relationship with Clophill, significant harm to character and appearance of the area.
- The fields represent part of the historic pattern of field use in the area – developing it would affect the setting of Cainhoe Castle.
- It would be overdevelopment of this area of Clophill
- Site falls within floodplain 1, 2, and 3.

- Little evidence that the application has taken on board the contents and aspirations of the LCA or addressed issues of future safety.
- Not sustainable on economic grounds
- Not sustainable on transport grounds – the proposal fails to reduce the need to travel and reliance on cars – some considerable distance from local amenities.

The Greensand Trust

The site is within the Greensand Ridge Nature Improvement area and is very close to our Sandy Smith Nature Reserve. Fully support the principle of appropriate, sustainable development in the village enabling the Lakes area to provide public access in a manner appropriate to the site, its biodiversity, heritage and landscape. Also note the open space deficiencies in Clophill parish. The Clophill Parish Green Infrastructure Plan produced with the local community, very much supports this case and identifies making the Lakes site more accessible as a high priority. We welcome the recent application which significantly reduces the number of proposed dwellings to 50, but note this is still a significant development in terms of its impact on the landscape, ecology and access.

Primary concern remains the same as previously noted

- that the current proposal does not provide a viable mechanism for the long-term management of the site. The generation of income for the viable management of the site would need to be considered.
- Whilst not part of this proposal a visitor facility would be of benefit to the site.
- The access networks are very intensive and should be scaled down to be more appropriate to the setting.
- The application fails to acknowledge the site's position within the Greensand Ridge Nature Improvement Area. There is also a need to take account of the wider ecological networks and the sites role within the Flit Valley.
- The access network passes through areas with high potential for breeding wetland birds, without proposed mitigation. It is suggested that these areas should be fenced to reduce disturbance.
- The application does not properly recognise the impacts on amphibians, both during construction and creation of access routes and in terms of on going management.
- The site of Cainhoe Castle and its wider setting should be brought into the application area to enable its ongoing management and protection.

- The omission of the lakes and their immediate surroundings is not fully understood – one of the attractions will be the ability to get up close to the Lakes. If this is for ecological purposes there maybe some merit in this happening in certain areas but does not need to be a blanket approach.
- The proposal will have an impact on the Sandy Smith Nature Reserve and feel that some compensation is required to enable conservation interest to be maintained.

Public Art

If the application were to be approved I request a Condition be applied with suggested wording but await your advice on this:

No part of development shall be brought in to use until a Public Art Plan is submitted to and approved in writing by the Local Planning Authority . Installation of Public Art shall commence on site prior to occupation of 50% of dwellings. The Public Art Plan shall be implemented in full and as approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

The Public Art Plan should detail:

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

MANOP

Our view is that the needs of older people should be considered as part of this proposal and, should approval be given, we would support a proportion of houses in the scheme being suitable for older people, by incorporating some or all of the design features mentioned above.

Other Representations:

Neighbours

Representations received from the following addresses raised objection to the application:

729 representations have been received in relation to this application. 4 of these are comments, 1 in favour and 724 against. A large number of the representations were received in the format of a template letter which was collected and organised by the CAUSE residents group.

The representations made against the

Clophill

6, 7A, 8-10, 11, 12, 13, 21, 24, 26A, 28, 28A, 29, 30, 31, 32, 32A, 34, 35, 41, 42, 45, 46, 48A, 49, 50, 51, 52, 53, 54, 54A, 57, 57A, 59A, 61, 62, 63, 64, 69, 70, 71, 73, 75, 77, 77C, 80, 81, 83, 85, 87, 91, 93, 95, 98, 100, 103, 108, 108A, 109, 110, 110A, 111, 112, 117, 118, 118A, 119, 120A, 121, 122B, 123, 124, 126, 126A, 127, 128, 129, 130, 131, 133, 135, 137, 141, 143 High Street

2, 2A, 6, 8, 10, 11, 11A, 15, 15A, 15C, 20, 26, 32, 34, 36, 42 Jacques Lane

3, 3b, 7, 10, 17 The Causeway

1, 2, 3, 4, 5 Hawthorne Close

3, 9, 11, 13 The Green

1, 2, 3, 11, 15, 17, 22, 27, 32, 38, 39, 40, 41, 50 Cainhoe Road

1, 4, 5, 7, 8, 9, 12, 16, 17, 19, 20, 20A, 21, 22, 25, 29 Tanqueray Avenue

Clophill Fruit Farm

5 Beverley Gardens

2, 4, 8, 10, 16, 39, 41, 42, 43, 44, 52, 53, 54, 55, 48, Gideon Place, Readshill

1, 2, 3, Howards Mews

6, 6A, 8, 10, 18, 20, 21, 30, 34, Bedford Road

2, 3A, 4, 6, 7, 30 Castle Hill Court

5, 6, 7, 9, 9A, 14, 19, 23, 'A', 'B', 'C', 105, Millenium House, Shefford Road

2 The Compasses

Churchfield Farm, Shefford Road

Waterworks House, Shefford Road

The Old Waterworks, Shefford Road

application raise the following concerns:

- Outside the settlement envelope – over 1 mile from vital amenities such as the shop/Post Office, regular bus services/ pub
- Substantial ripple and ribbon development to the east of the village
- Risk resulting from the uncertainty of the Lakes ownership and Gallaghers intention to build hundreds of additional homes in Clophill – the application is ambiguous regarding how the Lakes would be transferred to public ownership and subsequently managed
- Detrimental impact on essential services, such as water, sewerage, Gas, Electricity and broadband due to ageing and poor infrastructure
- Cumulative impact and volume of houses – in combination with other active applications, appeals and the CBC call for sites, the cumulative impact of the development would result in the significant and inappropriate over development of Clophill. This in turn would lead to major issues such as excessive traffic, lack of school places, and the constant breakdown of essential services and amenities.
- Impact on village natural habitats – the Lakes is home to countless species of wildlife that help enrich Clophill. It's vital that these important habitats are preserved for future generations
- Location will have a significant damaging and potentially destroying effect on an established local business that depends on its tranquil location – the proposed location will have a significant detrimental effect on the Clophill Centre, the success of this business depends on its rural location
- Having a quiet and peaceful location is so important for people using the Clophill Centre
- Clophill Centre is a vital facility within the locality and assists many people in support and guidance
- One of the key attractions of Clophill Centre is its location, ease of access, peace and undisturbed natural life around
- The developers have nothing other than

The Pumphouse, Shefford Road

5, 5A, 5C, 5D, 6, 9, 11, 16, 17, 18,
19, 21, 24, 25, 27, 29, 30, 31, 34, 56,
58 Back Street

2, 3, 5, 8, 9, 11, 15, 17, 21, 23,
25,27, 29A, 31, 37, 39A, 41 Mill
Lane

The Smithy, Brickwall Farmhouse,
1, 2, 3, The Granary, The Stables,
Kiln Lane

3, 5A, 7, 8, 9, 11, 13, The Glen, Glen
Farm, 1 The Gables, Great Lane

6, 7, 8, 11, 11-13, Waybak, Broom
Cottage, Mayfield, Little Lane

2, 4, 5, 10, 11, 12, 14 24 The Slade

1, 2, Church Mews

3, 4, 12, 18, 22, 24, 28, 32
Townshott

4 Old Kiln Lane

1, 2, 3, 4, 5, 6, 8, 7, 10 Dearmans
Close

Old Tack Room, 1 Warren Farm,
The Old Stables, The Granary,
Warren Lane

1, 2, 3, 4, 9, 11, 12, 14, 15, 17,
Mendham Way

1, 2, 3, 5, 7, 8, 9, 10, 14, 15, 16, 17,
21, Goodwood Close

1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 16, 17,
18, 20, 23, 24, 25 Goodhall Crescent

1a, 3, 19 Old Silsoe Road

3 Church Path

Old Watermill

Outside of Clophill

43 Stotfold Road, Arlesey

61 Bedford Road, Barton-Le-Clay

short term profit in mind

- This development would be to the detriment of all who live, work and visit Clophill.
- One of the greatest assets of the Centre is the outside space, including a community garden, this is used extensively by groups and individuals and benefits hugely from the tranquillity of the setting – the lack of noise pollution and low motor fuel emissions and relative lack of light pollution at night. The benefits to wellbeing would be seriously under threat if this development was to go ahead.
- The annual Humdrum music festival is run from the Clophill centre. We would have to look for another site for the festival if this is approved as the volume of music would be a nuisance to such a close residential development
- Large construction project and creeping urbanisation of the surrounding area will irrevocably alter the character of the village and affect the ability of the centre to offer much needed spiritual retreat
- Clophill Centre supports so many in a network that extends not just to the surrounding counties but internationally bringing cultural diverse connection and an amazing world view
- Having a building site on the other side of the road to the Clophill Centre with all the noise this would bring with it during the building phase, would be completely opposed to all the work undertaken at the centre. Quietness is absolutely essential to all the studies/ activities. Once built the residents would need to get about and as the development is planned for the opposite end of the village to all its amenities, there would be a lot of traffic caused by the residents needing to get about – this again would be detrimental to the centre.
- The benefits to the village are at best minor
- Lack of adequate mitigation measures to protect the badgers which reside in the curtilage of The Pump House – The Badgers Trust and CBC Ecologist have confirmed that the sett is active and extensive, with the feeding grounds being

Hillfoot Farm, Ace House, 1 Blackhill Lane, Pulloxhill

5, 17, 28 Vicarage Road, 4 The Orchards, 11 Amphill Road, Silsoe

The Peacocks Roost, 6 Berberry Drive, Flitton

3 Falkland Close, 16 Orchard Way, 19 Millards Close, Flitwick

22 Shillington Road, 6 The Glebe, Millstream, Gravenhurst

Camptonbury Farm, Campton

1, 2, Top Farm Cottages, Mayfield, Beadlow

26 Harrow Piece, 21 Bedford Road, 3 Nursery Close, 25 Amphill Road, Maulden

29 Bilberry Road, 2 Jubilee Close, Clifton

1 Westoning Manor, Westoning

105 Southfields, 39 Queen Elizabeth Close, 10 Overlord Close, Shefford

77G Station Road, Lower Stondon

60 Hillfoot Road, Shillington

Greenfield Farm, Ickwell

5, 6 Church Close Houghton Conquest

86 London Road, Dunstable

29 Spencer Close, Potton

30 Cetus Crescent, Leighton Buzzard

Hill Farm house, The Maltings, Stanford

31 Jackmans Place, Letchworth

Bourne End House, Wootton

25 Dover Crescent, 30 Bradgate Road, 47b Howberry Street, Bedford

on the adjoining land owned and proposed by the applicant for development. The entrances to the sett are circa less than 5 metres from the development boundary.

- The proposed residential development fails to incorporate a green corridor to allow the badgers continued access to this food source and avoid potential conflict between the badgers, new residents and their gardens.
- It is considered highly likely that Badgers are present within the wider rural landscape, and indeed an active Badger sett has been identified in land off-site, to the north, but the results of the survey work indicate that Badgers do not rely upon the development site for foraging. As such the site is of no more than low ecological value at the site level for badgers. The application fails to provide appropriate mitigation to manage the risks, both short and long term to the badgers.
- Why has the 30m buffer zone not been included between the development and the Pumphouse.
- The Ground conditions summary report highlights the requirement for vibro treatment/ piled foundations adjacent to the eastern boundary of the Pump House – this will cause disturbance and disruption to the Badger sett
- The proposal by the applicant to cede approximately half of the land is not acceptable – the original application stated that all of the land would be handed over and it is this that is required before the application can be approved
- The land behind the school should be given over to the school/ parish council
- Vehicle traffic – increase in traffic, already congested with vehicles leaving the village in the morning at A6 and A507 junctions
- Pedestrian traffic into the village – lack of suitable footpath connection
- Local problems with the water and sewage system – out dated and under pressure
- House sizes – no real detail on the sizes of the houses in this proposed

2 Eastcote, Shortstown

150 Spring Road, 22 The Silver Birches, Kempston

34 Luton Road, Wilstead

128 High Street, St Neots

8 Southview, Great Barford

Little Warren Farm, Stewkley

41 The Magpies, Bushmead, 139 Gooseberry Hill, 3 Nymans Close, 6 Lavender Close, 77 Kirby Drive, 7 Florence Avenue, 32 Black Swan Lane, 168 Hitchin Road, 21 Shelton Way, Luton

2 Cleveland, 18 Bradwell Road, Milton Keynes

42 Penn Road, Richardson Close, 11 Dymoke Green, 39 St Vincent Drive, 29 Westfields, St Albans

21 Fortuna Close, Stevenage

18 Frampton Road, Potters bar

50 High Street, Whitwell

6 Frericus Close, Wickford

9 Culworth Crescent, Northampton

18 Oaklands, Reading

21 Tiverton Way, 34 High Street, Cambridge

302 Middle Road, Southampton

17 Mead Close, Swanley, Kent

34 West Street, Colne, Lancashire

5 Martlet House Bexhill

5 Rockaway Lane, Arlington

46 Barrow Road, Kenilworth

65 Highfield Lane, Halesowen

14 St Michaels Close, Newport

development – need is for smaller housing

- GP and education provision
- Possibility for further development on GE land if the ownership of all land that GE own in Clophill is not legally transferred to a public body
- The site is a designated County Wildlife Site - the ecological report submitted is not a true reflection of the current status of the wildlife species present and has seriously underestimated the ecological importance and biodiversity of the site. It has previously been suggested that the site has enough important biodiversity to warrant a SSSI designation.
- The developer has not been able to demonstrate that the benefits of this development outweigh the harm
- The development will increase the potential risk of flooding particularly to properties at the lowest point of Jacques Lane
- The development is to take place on unstable land – which could lead to the risk of subsidence within the proposed new properties
- Piling and compacting construction techniques would disturb abundant wildlife of significant importance within the immediate area of the housing site location
- Development on the proposed site would be in direct conflict with a number of the Local Character Assessment Development Considerations
- Concerns regarding water pressure and recent sewage leak

Comments made in relation to the application

- It is good that the housing numbers have been reduced
- The plans show no car park and the LEAP is now adjacent to the houses – reduction in anti-social behaviour
- Country park appears to have been down-graded; this should please a majority of villagers who felt huge concern at the potential for large numbers of visitors coming to Clophill
- Gallagher Estates are respecting the sight lines from the castle mound to the Old

3 Wood Road, Harrold

2 Trafalgar Terrace, Harrow

11 Sandtoft Road, 5 Lower
Richmond Road, 6 Haversham
Place, London

1 Southleas Far Cottage, Minster

95 Mandeville Road, Hertford

3d The Avenue, 150 Chaucer Way,
8 Whinbush Grove, 56
Meadowbank, 62B William Road,
Hitchin

16 Ledborough House, Beaconsfield
8 Hares Chase, Billericay

19 Orchard Avenue, Bingham

10 Duxford Road, Hinxton

Overseas

Bellavista 62140, Cuernavaca,
Morelos

66 Childrens Way, Bergviet 7945,
Cape Town

Markova 15, Bratislavia 85101,
Slovakia

Hidalgo no 23 Tamaulipas

21 Rue Montbrun, Paris 75014

WPI Worcester, Massachusetts

The following addresses raised
comments on the application:

76, 104 High Street Clophill

36A Jacques Lane, Clophill

26 Courtlands Drive, Biggleswade

The following addresses
supported the application:

30A High Street Clophill

Church

- A further reduction in housing numbers so that a buffer zone to ensure the safety of the resident badgers is absolutely non-negotiable
- The safety of lakes is an issue that appears to have been given no regard
- Funding and management of the land which is promised to the village MUST be seen to be in place before consent is given. And of course this land must be handed over with a legal agreement
- Bedfordshire Bird Club have commented on the application in terms of the importance of birds, winter wetland birds other than waders, winter waders and other species. It also acknowledges the importance of a detailed plan and management company to manage the Lakes area.
- Concerned that a reduction in the number of houses has resulted in a reduced form of capital works to the Lakes
- Also concerned that the proposed contribution to the Lower School will impact on the amount of capital funds available to undertake the work on the Lakes.
- The whole of the landholding should be transferred to a local trust or charity not just to safeguard from future development but also to provide income from rental of the land for remaining in agricultural use etc.
- Concern over the status of the reserve land for the school – who is this to be transferred to/ maintained by?
- Restrictions on the use of the lakes – for instance not allowing, motor sports, flying of model aeroplanes/ drones, outdoor concerts and unauthorised camping
- Scheme to reserve the visitor car park for the Lakes should be in place.
- Control of access points
- Access for pedestrians to the fishing ponds
- Safety fencing around the Lakes area is unnecessary and intrusive
- Cainhoe Castle – maintenance and management responsibilities
- Security of adjacent properties
- Conditions/ legal agreement should

ensure that the Lakes are actually delivered

- Vital the rest of the land ownership is protected from further residential development
- Who will run and fund the lakes area?
- No indication of boundary of land for future school use
- Hours of use for the parkland?

Comments made in support of the application

- The 50 houses proposed is preferable to the previous number of houses proposed
- Additional traffic along the High Street is still an issue for consideration
- The fish ponds are held as club fishing only – it would be a benefit if they could be used for general public and not only club use.
- Anglers using the Lakes could enhance the safety issues

Determining Issues:

The main considerations of the application are;

1. The principle of development
2. Access and highway considerations
3. Impact on the character and appearance of the area
4. Impact on the amenity of neighbouring residents
5. Biodiversity
6. The benefits of the scheme
7. Planning Contributions
8. The Planning balance
9. Other matters

Considerations

1. The Principle of Development

- 1.1 The application site lies outside of the settlement boundary as defined on the Core Strategy Proposals Map. In this location, new residential development would not normally be acceptable in principle under Policy DM4 which seeks to protect the open countryside from inappropriate development.
- 1.2 In line with the core principles contained within the NPPF, there is a requirement for planning authorities to "proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs." Paragraph 49 states, "Housing applications should be considered in the context of the presumption in favour of sustainable development unless there is significant and demonstrable harm."

- 1.3 In April 2017 the Council's latest Housing Supply position was published. This stated that the Council can now demonstrate a housing supply of 5.88 years. Therefore, in terms of the NPPF, it is considered that housing policies can now be considered up to date and can be given weight in the decision making process.
- 1.4 This application is a hybrid application with full planning permission being sought for the development of the Lakes area and outline planning permission with all matters reserved except access for the residential element. The residential element of the development is promoted within the application as enabling development that is essential to bring forward the Lakes development and public access arrangements.
- 1.5 Given the current position in terms of the 5 year housing supply the current residential element of the proposal would be in conflict with Policy DM4 of the Core Strategy and Development Management Policies for Central Bedfordshire (North). However, the following sections of the report will look at the proposal in detail, with a concluding section which will discuss the planning balance.

2. Access and Highway Considerations

- 2.1 The access to the public open space 'the Lakes' area will be from the High Street, Shefford Road and the new housing development by foot/ cycle. The existing public right of way is to be reviewed and provide additional pedestrian access. The parkland will be navigated by a footpath network. 2m wide hoggin paths will run through the site on key north-south and east to west positions, offering routes through the site for pedestrian, cycle users and horse riders. Informal grass routes will also be provided as part of the on-going site maintenance.
- 2.2 Vehicular access to the parkland area is to be restricted to the existing gated access off Shefford Road for the fishing club and maintenance to Clophill Lakes only. As part of the residential development there is to be a small visitors car park provided within the development to allow for some visitor parking visiting the parkland area.
- 2.3 The proposed residential development is seeking outline consent only, with all matters reserved except access. The site is to be accessed via a single access from Shefford Road, with pedestrian/ cycle links through the site connecting with the parkland area.
- 2.4 The Highways Officer has considered the transport assessment submitted and the proposed development and raises no objection subject to conditions. A transport assessment was submitted in support of the application and the access has been modelled and is considered to operate within capacity and the results are considered satisfactory.
- 2.5 In addition, modelling output is provided for the A6/A507 roundabout and whilst this junction operates within its capacity the modelling does indicate that there are problems with queuing in the peak hour in the base year. The modelling for 2021 has demonstrated that there may be capacity issues and this is to be looked at in a future A507 routing study to be conducted by CBC.

- 2.6 In terms of the public transport improvements proposed within the application the Public Transport Officer has commented and raised concern regarding the upgrade of the bus shelter to the north in that it is used infrequently and would not warrant upgrade and given its proximity to residential dwellings there may be objection to the shelter. Instead they have suggested that the stop on the A6 at the Flying Horse would better serve the community and be better used if it were upgraded. A contribution has been agreed.
- 2.7 The transport assessment also proposes a number of other localised improvements to improve access by more sustainable modes of transport. These include improvements to pedestrian movements such as drop crossings, 20mph speed limit adjacent to the school footway across the site frontage.
- 2.8 Pedestrian access is also provided via Jacques Lane, the existing rights of way network and a further exit to the west of the school. There is concern that there is no parking provision proposed near to the access from Jacques Lane which would result in potential for parking in this area. A visitor car park is proposed as previously stated with the enabling residential development. The purpose of the Jacques Lane access is purely for pedestrians. It is recommended a condition be imposed should planning permission be approved that requires temporary parking provision to serve the recreational area until the visitor parking within the residential development is constructed and details of how on street parking at the pedestrian accesses will be avoided.
- 2.9 There is an additional existing access which was the Quarry access which currently serves the site and the fishermans access to the Lakes. This access is to be modified by reducing the width and radii to avoid vehicles parking within the bell mouth.
- 2.10 Access to the residential development is to be taken from within the 40mph speed limit area, which requires a visibility splay of 120.0m. This can be achieved but would require the removal of some of the frontage boundary hedge. Part of the transport assessment proposals is for the speed limit to be reduced to 30mph at this point with dragons teeth and a gateway feature to promote/ advise the driver of the road speed. The reduction in speed at this point whilst proposed is not guaranteed as this would be subject to further consultation.
- 2.11 As part of the transport assessment the applicant has provided a tracking diagram for a refuse vehicle showing it entering and exiting the access. It has been agreed with the applicant that should planning permission be approved the access width shall be 6.0m for the first 15.0m into the site and with 8.0m radii, thereafter the access will be reduced in width to 5.5m.
- 2.12 As stated previously the Highways Officer has raised no objection to the application and believes it is acceptable in highway terms subject to conditions. It is therefore considered that the proposal is acceptable in highway terms.

3. Impact on the character and Appearance of the area

- 3.1 A Landscape Visual Impact Assessment has been submitted with the application. The site is some 38 hectares in size and has been divided into two components, the housing development area and the area proposed as Clophill Lakes Park.
- 3.2 The area proposed for housing is located to the north-east of the application site on what is currently used as arable land adjacent to Shefford Road. The land slopes gently from north to south towards the River Flit corridor. The northern boundary is partly defined by Shefford Road, with a native hedgerow currently running along the boundary. The eastern edge overlooks existing agricultural land through a native boundary hedge. The south-eastern boundary is undefined open to arable land which end at the Fishing Lakes. Again, the south side is arable land with an existing hedgerow dividing 2 fields.
- 3.3 The Clophill Lakes Park of the site is predominantly on land which was the former quarry site, which currently has no public access and consists of 2 lakes, the River Flit corridor and the fishing ponds/ car park. The application proposes that these will remain undeveloped and the development in this area is primarily resulting around improvements to access in terms of footpaths/ board walks, increasing ecological improvements and some potential fencing to the Lakes area. It is therefore considered that in terms of the Lakes area, there would be no detrimental impact on the character and appearance of the area and given the improvements, would potentially enhance the character and appearance of this area through improved means of access and management.
- 3.4 The site lies within the National Character Area (NCA) 90 Bedfordshire Greensand Ridge, which is surrounded by the NCA 88 Bedfordshire and Cambridgeshire Claylands. The Greensand Ridge area is described as 'a narrow ridge running north-east, south-west. The distinct ridge has a north-west facing scarp slope formed by the underlying sandstone geology which as shaped the landscape and industry of the area'.
- 3.5 On a local level, the site is identified as lying across 2 character areas, the 'Greensand Valley' and the 'Wooded Green Ridge'. In terms of the Greensand Valley it is identified as having the following key characteristics;
- Small-medium scale valley of the River Flit and River Ouzel
 - Surrounded by the enclosing landform of the wooded Greensand Ridge
 - Rivers and associated wetland sites are important for biodiversity
 - Mixed woodland blocks and shelterbelts increase the sense of enclosure
 - Field and roadside boundaries are variable ranging from mature shelterbelts to scrubby degraded margins.
- 3.6 Key recommendations for development within this character area are:
- Conserve the visual relationship with the Mid Greensand Ridge and avoid development that would compromise the relationship aim for undeveloped valley crests
 - Ensure an appropriate rural interface between settlement edges and the adjoining rural landscape. This is particularly important where

settlement edge expansion is proposed. Retention of agricultural hedgerows, appropriate new tree screening and careful design boundaries and lighting will help to create a sympathetic rural/urban edge.

- 3.7 The Wooded Greensand Ridge is identified as having the following key characteristics:
- Large scale, elevated landscape providing extensive views
 - Narrow, prominent ridge running southwest-northeast across the country and forming a strong horizon, divided by the Rivers Flit and Ivel which have carved distinct valleys
- 3.8 Key recommendations for development within this character area are:
- Respect the consistent, unified architectural character of villages
 - Monitor linear development, infill of villages in order to prevent further settlement coalescence and loss of individual village identity
 - Conserve the ridge in providing a strong wooded horizon, skyline and backdrop to the surrounding vales
 - Conserve the distinction between the ridge and the adjacent Flit Greensand Valley and ensure development does not spill over the ridge diluting the contrast between the two landscapes
 - Promote Green Infrastructure and explore options for improving recreational opportunities and public access. Nevertheless, it is important to consider the associated development of facilities e.g. visitor centres, car parking and potential impact of increased traffic that might impact upon the rural, tranquil character defining much of the ridge.
- 3.9 Whilst the proposal in terms of the residential development will result in a loss of agricultural land on the edge of the settlement, the essential landscape features within the site can be retained, most notably the hedgerows and existing trees. The development of the lakes element of the proposal is able to respond positively to the local landscape character and will bring long term management and public access opportunities to the area.
- 3.10 The Landscape Officer has raised no objection to the application and has welcomed the reduction in the enabling development from the previous application.
- 3.11 The residential element of the proposal is relatively contained and will be effectively screened on all boundaries by existing and new landscape; with a significant landscape buffer (some 25m) provided between the proposed housing and the wider countryside to define the settlement edge. Views of the site from Shefford Road will be limited with only one access serving the development and a further substantial landscape buffer. This would not result in a loss of village identity.
- 3.12 Overall, it is considered that the proposal would not result in a significant harm to the character and appearance of the area and in terms of the Lakes element would enhance the local landscape character, bringing long term management and public access to the area.

4. Impact on the amenity of neighbouring residents

- 4.1 The residential use of the site in itself would not be incompatible with existing residential uses to the western and northern boundaries. The layout, which would be assessed at reserved matters stage would need to demonstrate that the living conditions of existing neighbours would not be harmed through loss of privacy, or by creating an oppressive or overbearing impact.
- 4.2 One of the main neighbouring properties in question would be The Pump House, this is adjacent to the boundary with the site. Given the ecological issues identified on the site there would need to be a 30m buffer between the boundary of this property and the rear gardens/ properties within the new development. This would minimise any potential impact on this neighbouring property in terms of overbearing, loss of light, and loss of privacy.
- 4.3 Concern has been raised from the owners and practitioners from the Clophill Centre opposite the residential development part of the site in terms of noise disturbance and general loss of tranquil environment. It is acknowledged that there will be noise related with the construction process, although these will only be temporary, and the comings and goings from the site following construction. However, there would be only one access point off Shefford Road and there will be landscaping to the site at the front which would soften the appearance of the development and set it back from the road frontage. There would be some increased noise and disturbance but given the scale of the development proposed this would not be significant.
- 4.4 Given the illustrative masterplan and the information within the application, it is considered that the proposed land identified for residential purposes could accommodate up to 50 dwellings without detrimental loss of amenity to the existing neighbouring residents, subject to an acceptable layout at reserved matters stage.

5. Biodiversity

- 5.1 An ecological appraisal has been submitted with the application, along with a Framework Habitat Management Plan. The development site comprises arable fields with hedgerows on the north and west boundaries, with the wider site containing large waterbodies, grasslands, woodland, scrub and inundation areas. The hedgerows and trees provide some opportunities for a number of species/ species groups, including foraging bats and nesting birds. An active badger sett has been identified in close proximity to the development and the appraisal recommends specific mitigations and consideration of this aspect. The wider site has potential to support a range of species particular birds, bats, invertebrates and possibly reptiles. A number of mitigation measures are proposed which cover both the construction and operational phases.
- 5.2 The proposals include a range of ecological enhancements within the development site, with larger scale plans for enhancing and managing the wider Clophill Lakes also proposed.
- 5.3 Concern has been raised particularly by neighbouring residents and a number of interest groups regarding the badger sett that has been identified on the western boundary of the residential site. It is clear that badgers use the development site for foraging. The Councils ecologist has commented on

this aspect stating that badgers will likely to continue to forage on the site when the homes are built, therefore rather than the long gardens shown on the illustrative layout, a 15m buffer between the hedgerow on this boundary and the boundary of the new development should be created. This would be in the public realm and provide a continuation of access on to the site. The orientation of buildings could be altered and the LEAP and attenuation features possibly reversed to minimise disturbance to the badgers. As layout is reserved for future consideration, this is considered achievable in terms of the proposed parameters and therefore would be a detailed consideration at the reserved matters stage.

- 5.4 Overall, the Council's Ecologist does not object to the proposal and is satisfied from the information submitted that the development would achieve a net gain for biodiversity subject to appropriate conditions, including the implementation of the Landscape and Ecology Framework Management Plan with appropriate timescales.

6. The Benefits of the Scheme

- 6.1 There are a number of documents submitted in support of the application that aim to highlight the benefits of the scheme. The applicant was asked to provide further clarification in relation to this aspect by the Parish Council. In response, the applicants outlined what they considered to be the benefits of the scheme as follows:

- Provision of 25 hectares of community parkland
- Provision of a local equipped area for play
- Land to the rear of the lower school for future school expansion
- Educational contributions amounting to £408,000.00
- Policy compliant affordable housing provision (35%)
- Ecological mitigation resulting in a net increase in biodiversity
- Future management and long term stewardship of Cainhoe Castle
- Construction value of c.£8m
- Direct and indirect employment benefits
- Increased residential expenditure on local services
- Additional Council tax revenue
- Transfer of parkland to public body to manage the site for the community

- 6.2 In terms of the proposed development the application proposes a series of general improvements to provide 25 hectares of community parkland accessible for local people along with a series of ecological and landscape enhancement works. This is a scaled down version of the previously proposed country park concept given concerns raised by the local community in terms of people visiting Clophill for the use of such a Country Park. The enabling development element comprises a residential development of up to 50 dwellings to generate funding to cover the cost of the capital works to create the parkland environment and ongoing management. The local community have had long term aspirations for public access to this land for a number of years with reference made to this in the Parish Plan and the Parish Green Infrastructure Plan.

Feedback on the Community Plan, which helps inform the new local plan for the Clophill area, included comments about improving the amenity value and

ecological value of the Lakes south of Clophill.

- 6.3 Concern has been raised by both the Parish Council, the local action group (CAUSE) and local residents in terms of the long term management and land transfer of the entire site. The applicants have confirmed in writing to the Parish Council the land that would be transferred as part of the application. The land will be transferred to an appropriate body to manage and through covenants and restrictions on the transfer will ensure that no further residential development can come forward beyond that proposed in this application. The details of such land transfer will be referenced in any S106 agreement should planning permission be granted.
- 6.4 The applicant has progressed discussion with two potential bodies who may take on the future ownership of the land, with principle agreements in place with both the Greensand Trust and the Land Trust.
- 6.5 A management plan will be required by condition should planning permission be granted to ensure the appropriate management of the Lakes area, including the Scheduled Ancient Monument.

7. Planning Contributions

- 7.1 A S106 agreement will secure the relevant contributions required towards local infrastructure. The Heads of Terms that have been agreed are as follows:

Education

- Lower School – Expansion Land and contribution of £115,220.00 towards creation of additional class bases.
- Middle School – Contribution of £115, 939.20 towards the expansion of Arnold Middle School planned from September 2018.
- Upper School – Contribution of £142,172.16 required towards the future expansion of Harlington Academy to meet forecast demand for pupil places.
- Early Years - Contribution of £34,566.00 required for provision of early years places resulting from the residential development.

Affordable Housing

- 35% affordable housing will be secured across the site.

Leisure

- Provision of land for on-site play provision, including equipment and management scheme.

Land Transfer Agreement

There would be a mechanism within the S106 to ensure that the land for the lakes and wider site is transferred to an appropriate body within an agreed timeframe. The S106 would also include provision for the Council to approve the nominated body. The applicant has agreed that the land transfer will take place prior to any development and the works to create the Lakes area will take place prior to the occupation of the 5th dwelling.

8. The Planning Balance

- 8.1 At the time of submission of this application, the Council could not demonstrate a 5 year supply of housing. However, this position has now changed and as of April 2017, the Council can now demonstrate a 5 year supply of housing, as stated previously. The benefit of housing provision in the planning balance has therefore been reduced.
- 8.2 The benefits in terms of the public access and ecological/ landscape enhancements offered to the Lakes area are seen as an important public benefit of this scheme, which has been an aspiration of the Parish Council and the local community for many years. The enabling residential development now scaled back from up to 90 dwellings to up to 50 dwellings is considered not to result in harm to the character of the area.
- 8.3 Concern was raised in terms of the Scheduled Ancient Monument, however, the benefit of the long term management of this site secured through condition, and the scaled down proposals are considered to outweigh any potential harm identified.
- 8.4 It is considered that the proposal when considered in its entirety would result in a sustainable form of development, that would offer significant public benefit in terms of access to and management of the Lakes area. It is for this reason that it is considered that on balance planning permission should be approved.

9. Other Matters

9.1 Ground Conditions and contamination

A desk based review of environmental information relating to the ground conditions at the development has been completed and submitted in support of the application. The report highlights that no current or historical potential sources of significant soil and groundwater contamination have been identified that could pose a significant risk to human or controlled water receptors in the area proposed for residential development

9.2 Flood Risk

A flood risk assessment has been submitted in support of the application. The assessment focuses on the residential development area in the north of the site. The flood mapping prepared by the Environment Agency shows that the proposed residential area to be located wholly within Flood Zone 1 – therefore comprising land assessed as having less than 1 in 1000 annual probability of river/ sea flooding in any year. In flood zone 1 there is no requirement within the NPPF for sequential or exception tests to be undertaken. The report makes a number of recommendations such as finished floor levels set at least 150mm above proposed external levels and 300mm above existing levels; ground profile around buildings, where possible shall direct surface water away from buildings, development to incorporate a positive surface water drainage system which will intercept runoff from roofs and paved areas before discharging offsite. An outline drainage strategy has been prepared in support of the application, this shows betterment downstream. Subject to the mitigation measures proposed within the assessment it is not considered that the development would pose a significant flood risk.

9.3 Scheduled Ancient Monument

The wider Lakes site would include the scheduled ancient monument known as Cainhoe Castle: a motte and bailey with associated moated site. Concern has previously been raised regarding the impact of the development on this monument in terms of views and increased footfall in the vicinity of the monument due to the public access.

Following the reduction in the capital works proposed to the Lakes area and the reduced scale of residential development Historic England acknowledged that the potential for harm to the heritage asset has been reduced. However, they remain concerned about the ownership of the Scheduled Ancient Monument, its overall management and the production of a conservation management plan for the asset.

As mentioned previously the land including the Scheduled Ancient Monument (SAM) would be transferred to an appropriate body to ensure it is appropriately managed and maintained. A condition survey of the SAM has been submitted and highlights issues that would need to be addressed as part of the future management of the heritage asset through the proposed conservation management plan which would form part of the long term stewardship of the site. The Landscape and Ecology Framework Management Plan would inform the detailed conservation management plan which would be required to be a pre-commencement condition should permission be granted.

It is therefore acknowledged within the application that there is potential harm to the visual setting of the monument from the residential development. This has been mitigated by the structured planting proposed and it is therefore considered that this harm would be minimal. The proposed mitigation measures and the benefits of the improved management of the monument are considered to overcome this harm.

9.4 Human Rights

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

9.5 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 completion of an acceptable S106 and the following conditions:

RECOMMENDED CONDITIONS

Part A Conditions (Full Planning Permission)

- 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 equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained trees, has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on the Tree Protection Plan (Drawing No. 9136 TPP 01 Rev A) contained in the Arboricultural Impact Assessment (January 2016). The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: Details are required prior to commencement of development to protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF).

- 3 **No development shall commence until a Landscape and Ecological Management Plan has been submitted to and approved by the Local Planning Authority. The development shall then be managed and maintained in accordance with the approved details.**

Reason: To ensure an acceptable management of the landscape and to enable proper consideration of the impact of the development on the contribution of nature conservation and ecology in accordance with Policy DM14 of the Core Strategy for the North and Section 7 & 11 of the NPPF.

- 4 **No development shall be commenced until a Management Plan relating to the Cainhoe Castle Scheduled Ancient Monument as shown on the Landscape Masterplan (Drawing No. DE186_L_001 F) has been submitted to and approved by the Local Planning Authority. The development shall then be managed and maintained in accordance with the approved details.**

Reason: To ensure acceptable management of the Scheduled Ancient Monument in accordance with Policy CS15 and DM3 of the Core Strategy for the North and Section 12 of the NPPF.

- 5 **No development shall commence until details of temporary parking provision for users of the outdoor parkland and access thereto shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the temporary parking provision and access have been constructed in accordance with the approved details. Within one month of the permanent parking provision and access being constructed, the temporary parking provision shall be removed and the access thereto closed and**

reinstated in accordance to details approved in writing by the local planning authority.

Reason: Details are required prior to commencement to avoid on street parking and obstruction to users of the public highway. (Policy DM3,CSDM)

- 6 The development shall not be brought into use until the junction of the 'fishermans access' has been modified and the surplus lengths of access closed and re-instated, in accordance with the indicative layout illustrated on drawing no. J32-2349-PS-010 Revision A, along with the passing bay and parking provision indicated on the approved drawing no. DE186_L_001 Rev F.

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

- 7 **Development shall not commence until further details of the pedestrian access to the site have been submitted to and approved in writing by the local planning authority including mechanisms for mitigating the impact of any on street parking associated with the promotion of the recreational area. The development shall not be brought into use until any improvements to the pedestrian access and any mitigation mechanisms have been implemented in accordance with the approved plans.**

Reason: Details are required prior to commencement in the interest of highway safety and to encourage sustainable access to the site.(Policy DM3, CSDM)

- 8 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress, including provision for on site parking for construction workers has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

Reason: Details are required prior to commencement to ensure the safe operation of the surrounding road network in the interests of road safety. (Policy DM3, CSDM)

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

- Red Line Plan (Drawing No. DE186_003 E)
- Site Location Plan (Drawing No. DE186_001 A)
- Application Zone Pan (Drawing No. DE186_007 B)
- Development Framework Plan (Drawing No. DE186_006 K)

- Landscape Masterplan (Drawing No. DE186_L_001 F)

Reason: To ensure the development is carried out in accordance with the approved plans.

Part B Conditions (Outline Permission)

- 10 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.

- 11 **No development shall take place until approval of the details of the layout, scale, appearance, and landscaping, including boundary treatments (herein called “the reserved matters”) associated with the residential development 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.

- 12 **No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained trees, has been submitted to and approved in writing by the Local Planning Authority and the fencing has been erected in the positions shown on the Tree Protection Plan (Drawing No. 9136 TPP 01 Rev A) contained in the Arboricultural Impact Assessment (January 2016). The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.**

Reason: Details are required prior to commencement of development to protect the trees so enclosed in accordance with Section 8 of BS 5837 of 2012 or as may be subsequently amended. (Policy DM14 of the Core Strategy for the North and Sections 7 & 11, NPPF).

- 13 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (15-0735 Clophill Lakes January 2016) (and outline drainage strategy appendix C) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and**

how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009 and para 103 of the NPPF.

- 14 **No development shall take place until details of the existing and final ground slab levels of the buildings hereby approved have been submitted to and approved in writing with the Local Planning Authority. Thereafter the site shall be developed in full 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. (Policy DM3 of the Core Strategy for the North & Section 7, NPPF).

- 15 **No development shall commence until a Phase 1 Desk Study report prepared by a suitably qualified person adhering the BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination, has been submitted to and approved in writing by the Local Planning Authority.**

Reason: Details are required prior to the commencement of development to protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 16 Where shown to be necessary by the Phase 1 Desk Study approved under Condition 15 of this planning permission, no dwelling hereby permitted shall be first occupied until the following has been submitted to and approved in writing by the Local Planning Authority:
- a) A Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.
 - b) Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

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 remediation 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).

- 17 The dwellings hereby approved shall not be occupied until details of a refuse storage/collection point have been submitted to and approved by the Local Planning Authority and the said storage area/collection point has been constructed in accordance with approved details.

Reason: To ensure that the refuse collection bins do not cause a hazard or obstruction to the highway / or access driveway / or parking area or users of the premises. (Policy DM3, CSDM)

- 18 The dwellings hereby approved shall not be occupied until details of the children's play area and associated open space land as shown on the Landscape Masterplan (Drawing No. DE186_L_001 F) have been submitted to and approved by the local planning authority. This is to be provided prior to occupation of the 5th dwelling.

Reason: To ensure that the children's play facilities are in accordance with Policies CS17, DM16 and DM17 of the Core Strategy and Development Management Policies Document (2009).

- 19 **No development shall commence until a scheme detailing a badger mitigation corridor has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall be taken into account in the submission of any reserved matters application and the scheme shall be carried out in accordance with the approved details.**

Reason: Details are required prior to commencement to ensure an acceptable management of the landscape and to enable proper consideration of the impact of the development on the contribution of nature conservation and ecology in accordance with Policy DM14 of the Core Strategy for the North and Section 7 & 11 of the NPPF.

- 20 **Notwithstanding the submission of indicative plan number J32-2346-PS-009 Rev B submitted as part of this application, no development shall begin until further details have been submitted to and approved in writing by the local planning authority for a highway improvement scheme to Shefford Road and the High street which should look to include:**

- **School safety zone pedestrian enhancements**
- **extensions to the speed limit beyond the site access**

No dwelling shall be occupied until such time as the approved scheme has been implemented and the development shall be constructed in accordance with the approved plans. Page 85

Reason: Details are required prior to commencement in the interest of highway safety and to encourage sustainable access to the site.(Policy DM3, CSDM)

- 21 **Development shall not commence until details of a 6.0m wide junction for the first 15.0m into the site and with 8.0m radii for the proposed estate road with the highway and thereafter the access will be reduced in width to 5.5m, have been submitted to and approved in writing by the Local Planning Authority, such details will include provision for refuse vehicles and visibility splays in accordance with the speed limit. No building shall be occupied until that junction has been constructed in accordance with the approved details and the visibility splay implemented.**

Reason: Details are required prior to commencement in order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road. (Policy DM3, CSDM)

- 22 **Development shall not commence until a scheme detailing access provision to and from the site for construction traffic, which details shall show what arrangements will be made for restricting such vehicles to approved points of access and egress, including provision for on site parking for construction workers, and measures to prevent mud on the road has been submitted to and approved in writing by the Local Planning Authority.**

The scheme shall be operated throughout the period of construction work.

Reason: Details are required prior to commencement to ensure the safe operation of the surrounding road network in the interests of road safety.(Policy DM3, CSDM)

- 23 **Any subsequent reserved matters application shall include the following:**
- The road designed to a geometric standard appropriate for adoption as public highway
 - Vehicle parking and garaging, inclusive of visitor parking provision in accordance with the councils standards applicable at the time of submission
 - Cycle parking and storage in accordance with the councils standards applicable at the time of submission
 - A vehicular turning area within the curtilage of the site taking access from the public Highway
 - Driver/driver inter-visibility and pedestrian visibility from the residential accesses within the site and taking access directly from the public

- highway
- Pedestrian and cycle linkages to existing routes
- Wheel cleaning arrangements
- Permanent parking provision in accordance with assessment of other such areas with regard to parking provision and this data is used to provide a robust parking strategy for the recreational area
- Details of the permanent parking provision for the community parkland area and timeframe for provision

Reason: To ensure the development of the residential site is completed to provide adequate and appropriate highway arrangements at all times. (Policy DM3, CSDM)

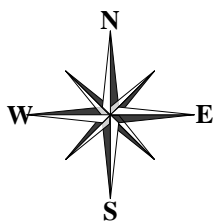
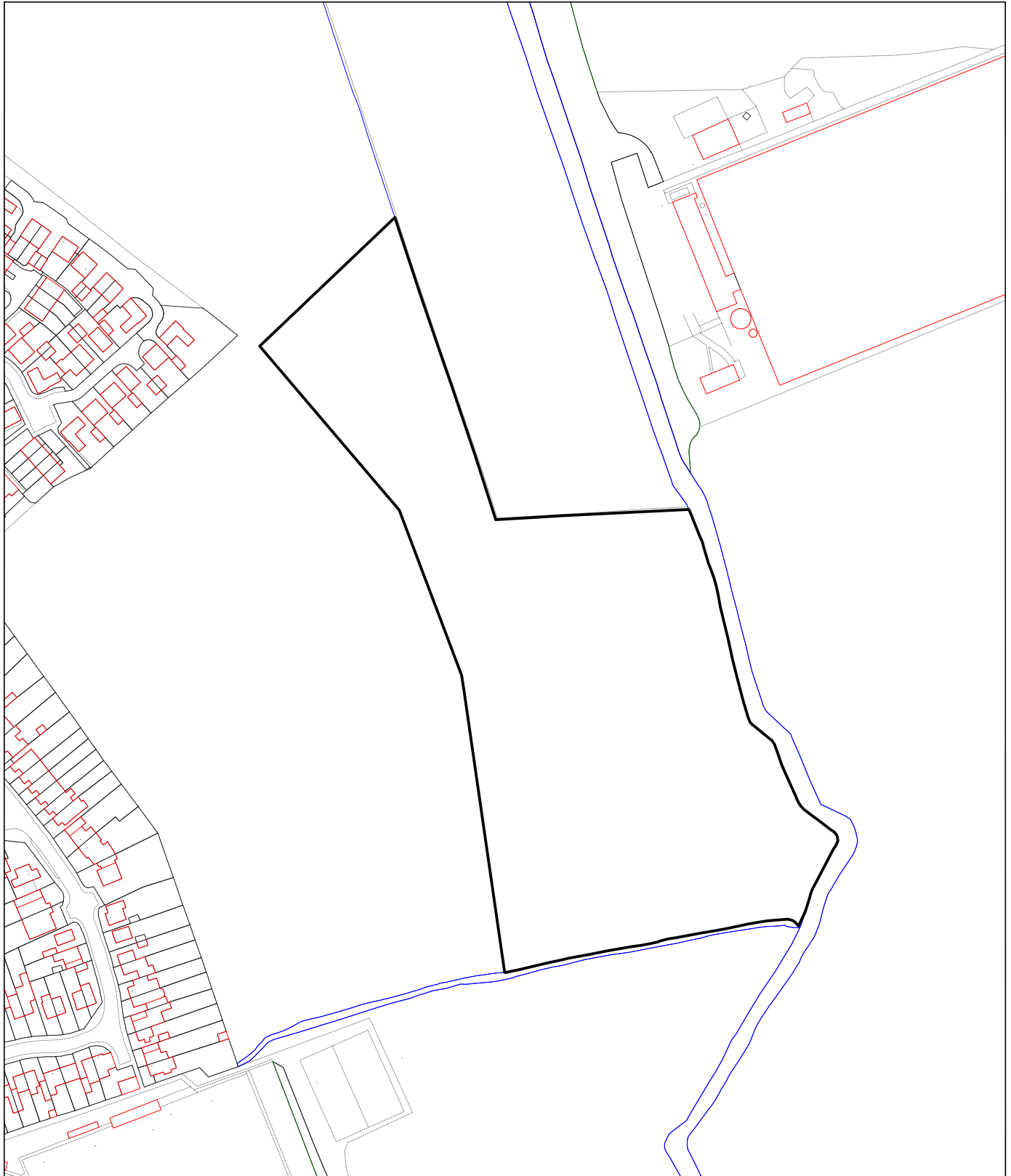
INFORMATIVE NOTES TO APPLICANT

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

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

DECISION

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Date: 05:June:2017

Map Sheet No

Application No.
CB/17/01619/FULL

Scale: 1:2500

Land rear of 43 to 91 Silver Birch Avenue South of Alder Green and Aspen
Gardens, Aspen Gardens, Stotfold

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Item No. 8

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

Reason for recommendation

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

Site Location:

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

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

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

The site is outside of the Stotfold Settlement Envelope.

The Application:

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

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

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

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

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

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

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

Relevant Policies:

National Policy and guidance

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

Local Policy and guidance

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

CS1 Development Strategy

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

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Central Bedfordshire Landscape Character Assessment

Development Strategy

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

Relevant Planning History:

CB/17/01462/OUT

Outline application for up to 95 dwellings

Decision: pending

Consultation responses:

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

Stotfold Town Council No response received.

Neighbours 36 letters of objection have been received at the time of writing. In addition, a petition signed by 498 individuals has been submitted in opposition to the proposed development. Further representations received will be summarised in the Late Sheet.

Comments made can be summarised as follows:

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

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

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

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

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

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

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

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

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

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

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

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

- The site is greenfield and outside the settlement envelope

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

Consultee responses:

Trees

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

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

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

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

Pollution Team

No comment

Environment Agency

No response received.

Ecology

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

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

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

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

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

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

Landscape Officer

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

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

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

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

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

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

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

IDB

No objection

Green Infrastructure

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

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

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

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

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

area.

Determining Issues:

The considerations in the determination of this application are:

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

Considerations:

1. The Principle of the development

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The impact on neighbours and future living conditions

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

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

4. Conclusions

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

Recommendation:

That Planning Permission is approved subject to the following conditions:

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

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

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

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

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

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

INFORMATIVE NOTES TO APPLICANT

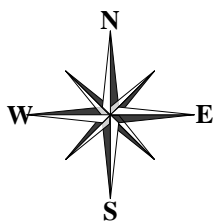
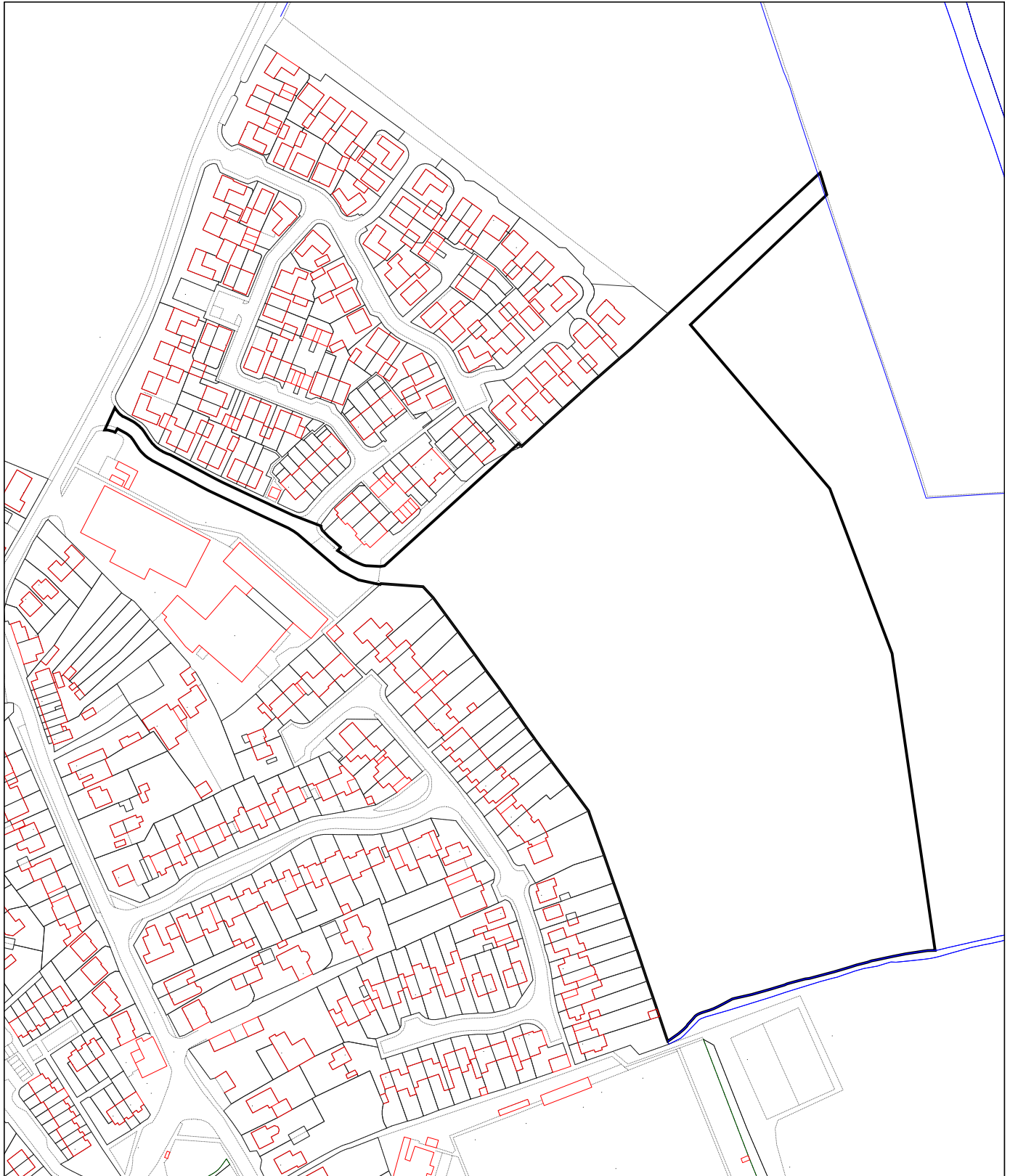
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

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

DECISION

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Date: 05:June:2017

Map Sheet No

Application No. CB/17/01642/OUT

Scale: 1:2500

Land rear of 43-91 Silver Birch Avenue, South of Alder Green & Aspen Gardens, Stotfold

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Item No. 9

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

RECOMMENDED DECISION Outline Application - Approval

Reason for recommendation

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

Site Location:

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

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

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

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

The Application:

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

Beauchamp Mill site.

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

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

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

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

Relevant Policies:

National Policy and guidance

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

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North

(2009)

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS13	Climate Change
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid-Bedfordshire Landscape Character Assessment (2007)

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

Development Strategy

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

Relevant Planning History:

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

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

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

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

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

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

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

Consultation responses:

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

Stotfold Town Council

Objection for the following reasons:

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

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

quality and soil and state that:

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

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

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

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

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

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

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

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

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

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

Within 500 metres there are brown field sites as follows:

CB/10/02061

CB/15/02999

CB/15/03723

CB/15/04836

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

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

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

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

There is no bank in Stotfold, simply an ATM.

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

The café has become a small shop.

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

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

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

rejected until a new traffic impact assessment has been made.

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

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

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

Neighbours

63 letters of objection have been received at the time of writing (including one from the Campaign for the Protection of Rural England). In addition, a petition signed by 498 individuals has been submitted in opposition to the proposed development. Further representations received will be summarised in the Late Sheet.

Comments made can be summarised as follows:

- The site is greenfield and outside the settlement envelope
- The Council can now demonstrate an ability to meet its five year housing need
- This is very similar to an application that has already been refused
- There are a large number of housing proposals in this area
- The proposed sporting/green infrastructure/leisure enhancements would not be needed or useful
- The 'blue land' could come forward for housing in the future
- The development would diminish a green corridor between the A1 and Stotfold
- The site is in a flood zone
- There is not enough local infrastructure
- There would be a loss of local amenity
- There would be a loss of farmland
- There would be harm to local wildlife
- The application uses old data
- The site is not sustainable
- There would be increased traffic congestion
- There could be harm to heritage assets
- There would be harm to living conditions at nearby

properties

- There have been enough developments in Stotfold
- Employment growth does not match new housing delivery
- The junction would be dangerous
- There is not enough school places
- Construction would be disruptive
- The Council does have a five year housing land supply
- The submitted LVIA is inadequate
- There are limited bus services through Stotfold
- There are other, more suitable sites in the area
- Open space within the flood zone cannot be relied upon
- The site cannot accommodate 100 dwellings
- Gas, electricity and water services cannot cope
- There would be environmental and noise pollution
- The roads are already dangerous
- The development would not be in-keeping
- There would noise and loss of light and privacy
- The development would be too dense
- The indicative layout is inadequate
- Trees have been removed from the site
- There would be no community benefits
- There are not enough facilities in Stotfold for young people
- The site is used for walking

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

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

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

The Green Wheel seeks to provide an accessible, off-road corridor through and beside areas of landscape, wildlife and heritage interest; and the proposals in the applications

go a long way towards this. The Kingfisher Way, a way along the length of the River Ivel, currently uses paths and roads away from the river; but there is the potential for the KFW to share the same route as the EGW through this site, taking it close to the river.

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

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

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

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

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

BRCC acts as host of the Upper & Bedford Ouse Catchment Partnership and as such are interested in the proposals within the applications to include SuDS, channel enhancements. The GI Strategy makes reference to a site in Gamlingay where ecological enhancement works have been undertaken to a watercourse as part of a local development. BRCC and the U&BOCP have recently

undertaken further enhancement works at this location with IDB and Parish Council consent; and we would welcome the opportunity to work with the applicant and the IDB to design any such enhancements to maximise biodiversity and public benefits.

Consultee responses:

Highways

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

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

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

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

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

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

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

Street

- A1.

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

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

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

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

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

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

Conditions

Access

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

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

Estate Roads

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

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

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

Construction Management Plan, Wheel washing facilities and contractor parking

Informatives

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

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

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

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

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

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

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

Trees Officer

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

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

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

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

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

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

Environment Agency

Flood risk

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

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

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

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

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

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

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

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

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

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

The IDB should also be consulted.

Flood risk

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

Surface Water Drainage

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

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

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

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

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

Foul Water Drainage

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

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

Contaminated Land

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

General Informatives

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

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

Conservation

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

SUDS

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

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

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

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

Condition 1: No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (February 2017) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

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

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

Pollution Team

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

Noise

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

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

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

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

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

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

Light

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

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

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

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

Land contamination

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

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

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

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

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

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

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

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

Informative

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

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

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

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

Impact of construction works

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

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

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

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

Rights of Way

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

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

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

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

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

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

Archaeology

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ecology

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

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

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

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

Landscape Officer

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

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

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

Sustainable Growth

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

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

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

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

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

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

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

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

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

- 10% energy demand of the development to be

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

Green Infrastructure

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

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

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

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

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

Housing Development

No objection

NHS

No response at the time of writing

IDB

No objection

Determining Issues:

The considerations in the determination of this application are:

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

Considerations:

1. The Principle of the development

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

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

Land use

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

The applicant has submitted an Agricultural Land Classification Report that seeks to demonstrate that the site should carry a classification of Grade 3a (good quality) and 3b (moderate quality). The Council instructed a consultant to review this report, who disagreed with some of the methodology used and the overall conclusions. Paragraph 112 of the NPPF states that Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

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

The sustainability of the location

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

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

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

Summary

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

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

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

Appearance of the site and its context

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

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

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

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

The character of the are and the wider landscape impact

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

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

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

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

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

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

Green Infrastructure and countryside access

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

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

This application would result in an extensive area being provided for green infrastructure, recreation and leisure. The applicant has submitted a Green Infrastructure Strategy for the site and a condition would ensure that landscaping at the site (and the land to the east within the applicant's control) was based on this document.

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

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

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

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

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

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

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

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

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

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

Leisure

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

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

contribution would be appropriate and proportionate to the development proposed.

4. The impact on neighbours and future living conditions

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

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

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

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

5. Access to the site and other highways implications

Highways

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

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

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

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

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

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

Sustainable Transport

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

6. Heritage Assets

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

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

7. Trees and hedgerows

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

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

8. Ecology and biodiversity

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

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

9. Land quality

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

10. Flood risk and Drainage

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

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

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

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

11. Energy efficiency

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

A condition would require details of energy efficiency measures.

12. Planning obligations

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

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

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

The following contributions would be secured towards local education provision:

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

Total: £775,004.98

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

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

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

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

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

13. The planning balance and conclusions

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

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

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

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

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

Recommendation:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 13 **Any subsequent reserved matters application shall include the following:**
- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
 - Pedestrian and cycle linkages to existing routes as required
 - Vehicle parking and garaging in accordance with the councils

standards applicable at the time of submission.

- Cycle parking and storage in accordance with the councils standards applicable at the time of submission.
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- A Residential Travel Plan.

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

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

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

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

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

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

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

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

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

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

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

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

INFORMATIVE NOTES TO APPLICANT

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

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

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

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

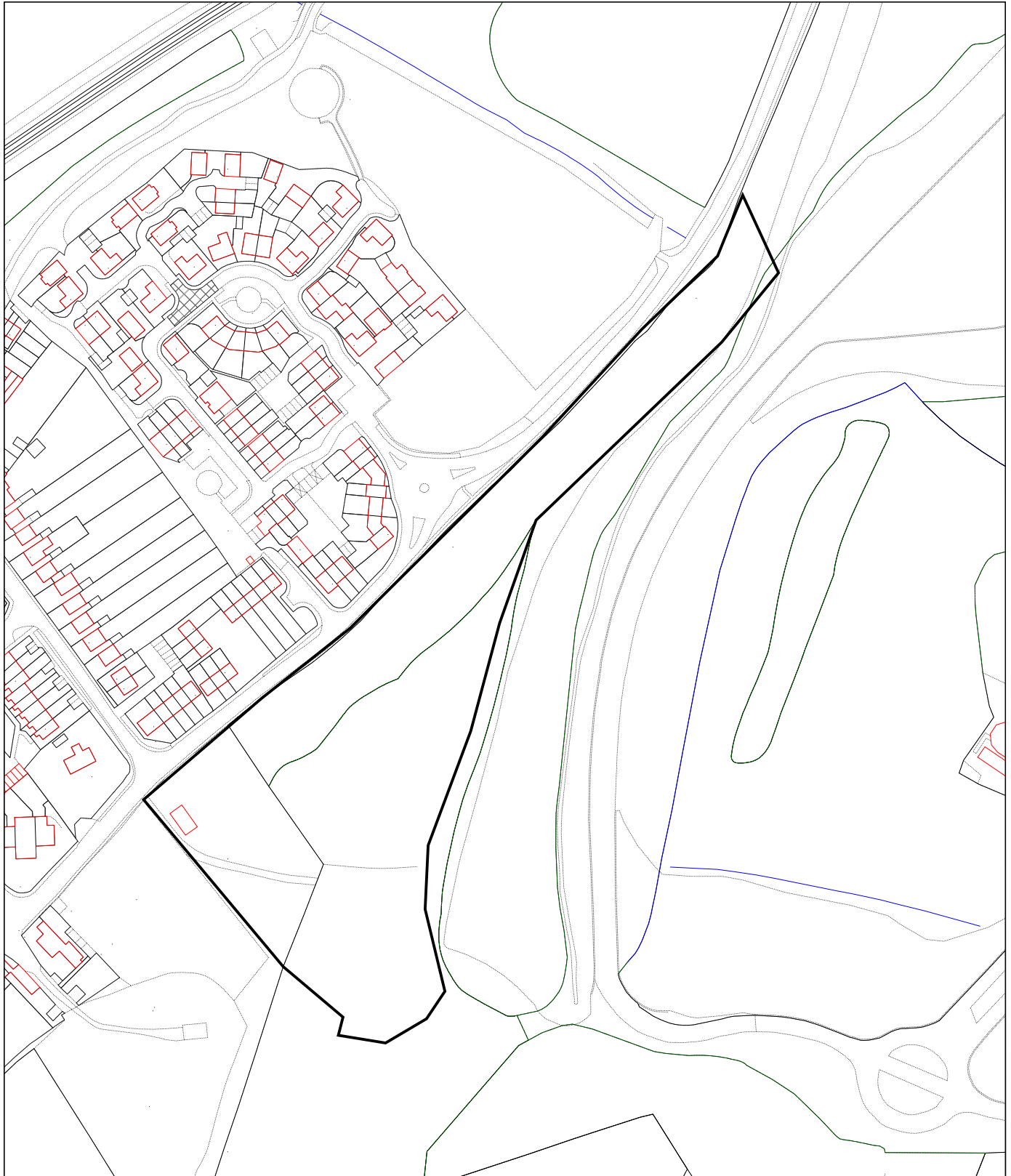
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

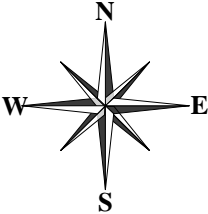
The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements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

DECISION

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No: CB/16/05887/OUT
	Date: 05:June:2017	
Map Sheet No		
Scale: 1:2500	Land Opposite The Lane & Lombard Street, East of Marston Road, Lidlington.	

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Item No. 10

APPLICATION NUMBER	CB/16/05887/OUT
LOCATION	Land opposite The Lane & Lombard Street, East of Marston Road, Lidlington, Bedford, MK45 2JQ
PROPOSAL	Outline planning application with all matters reserved except access for up to 40 residential dwellings (C3) with associated car parking and infrastructure; removal of redundant former scout hut and replacement with informal open space and associated green infrastructure improvements, habitat creation and landscaping
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Nikolas Smith
DATE REGISTERED	21 December 2016
EXPIRY DATE	22 March 2017
APPLICANT	Millbrook Proving Ground Ltd
AGENT	DLP Consultants
REASON FOR COMMITTEE TO DETERMINE	This application is being reported back to Development Management Committee because of a material change in circumstances since it was resolved to grant planning permission
RECOMMENDED DECISION	Outline Application - Approval

This Update Report should be read in conjunction with the previous Committee Report, Lane Sheet and relevant minutes, which are appended.

Update:

Development Management Committee resolved to grant planning permission for this development subject to conditions and heads of terms at its meeting on 29th March 2017.

At the time that the Committee made that resolution, the Council's most up to date housing land supply position was that it could not demonstrate an ability to meet its housing need for the five year period.

In that context, reduced weight was given to the Council's policies in so far as they related to the supply of housing. Paragraph 14 of the National Planning Policy Framework was engaged so planning permission should have been granted unless any adverse impacts associated with the development significantly and demonstrably outweighed the benefits.

After DMC resolved to grant planning permission, but before a decision was issued, the Council's housing land supply position was updated to show that it could demonstrate an ability to meet its housing need for the five year period.

As such, full weight should now be given to the Council's policies and planning decisions should be made in accordance with the policies of the development plan

unless material considerations indicate otherwise.

The report presented to DMC in March determined that there would be harm caused by this development to the character of the site, the area and the landscape. There would be a conflict with development plan policies and so planning permission should only be granted if material considerations, individually or cumulatively indicate that it should be. In this case, that means that the benefits associated with the development would outweigh the harm that would be caused by it.

In response to this change in circumstances, officers and the applicant have agreed the following amendments to the application:

Design Coding

The following planning condition would be attached to any planning permission:

Prior to the submission of any application for the approval of reserved matters, a Design Code for the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall demonstrate how the layout of buildings, their scale at different parts of the site, their design and proposed landscaping would respond to the landscape setting of the site and the variations in levels across it.

Reason: To ensure that the development would be of a sufficiently high quality and to reduce the impact of the development on the character of the area and the landscape setting in accordance with policies CS14, CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

This would help to ensure that the quality of the development was high and that its impacts on the landscape were reduced as far as possible.

Affordable bungalows

The applicant is proposing that a minimum of four of the dwellings at the site would single-storey bungalows. At least four of those bungalows would form part of the affordable housing provision at the site and would be for affordable rent.

This would make a meaningful contribution towards the identified need for affordable accommodation for older people.

Tree planting contribution

A contribution of £10,000 would be made towards off-site tree planting in the local area. The contribution would be secured and could be drawn down upon successful applications for it by relevant bodies, like the Parish Council or the Marston Vale Trust.

This would allow for landscape enhancements within the vicinity of the site.

Build Rate Timetable

The heads of terms presented to DMC in March included the Build Rate Timetable – an obligation to provide all of the dwellings within a period of five years from the grant of permission. Given the change in housing land supply position, the Council would no longer require this obligation but in this case, the applicant is proposing to

continue to include it in any legal agreement.

This would assist the Council in 'boosting' the supply of housing, in line with paragraph 47 of the National Planning Policy Framework.

Other submissions

Condition 17 required that any reserved matters submission did not include built development on the highest part of the site (above 80.0 AOD). The applicant has provided a replacement indicative layout plan to reflect the requirements of that condition. Condition 18 (drawing numbers would be updated accordingly).

The applicant has provided further background information relating to the employment aspirations at the Millbrook Providing Ground site.

The Planning Balance

The merits of the proposed development must be reconsidered in the current legal and policy framework.

It has been acknowledged that the proposed development would result in harm and a conflict with policies of the Development Plan.

The development, would, though, bring forward a range of other benefits. Added to those outlined in the previous report (notably, including the proposed 'pocket park' adjacent to the site), would be those set out in this Update Report.

Together, those benefits would outweigh the identified policy conflicts and would represent material considerations that would justify a decision other than in accordance with development plan policies.

Recommendation

That planning permission is granted, subject to the conditions and planning obligations as set out in the March 29th Development Management Committee Report, the Late Sheet and Minutes for that meeting and in this Update Report.

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Item No. 7

Appendix A

APPLICATION NUMBER	CB/16/05887/OUT
LOCATION	Land opposite The Lane & Lombard Street, East of Marston Road, Lidlington, Bedford, MK45 2JQ
PROPOSAL	Outline planning application with all matters reserved except access for up to 40 residential dwellings (C3) with associated car parking and infrastructure; removal of redundant former scout hut and replacement with informal open space and associated green infrastructure improvements, habitat creation and landscaping
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Nikolas Smith
DATE REGISTERED	21 December 2016
EXPIRY DATE	22 March 2017
APPLICANT	Millbrook Proving Ground Ltd
AGENT	DLP Consultants
REASON FOR COMMITTEE TO DETERMINE	This is a major application that would represent a departure from the Development Plan and to which the Parish council has objected.

In addition, Cllr Morris requested that the application be determined by Development Management Committee in the event of a recommendation for approval for the following reasons:

- Not in line with existing local plan**
- Loss of open countryside**
- Unsustainable addition to small village with limited services**
- Not in keeping with small village**
- Increased traffic flow at dangerous junctions**
- Insufficient parking**
- Blight on the vista of Marston Vale**

RECOMMENDED DECISION

Outline Application - approval

Reason for recommendation

Whilst the proposals would conflict with policies of the development plan, including those relating to development within the open countryside and landscape character, it would bring forward a number of important benefits. These include the provision of up to 40 homes within the five year period at a time when the Council cannot demonstrate an ability to meet its housing need and notable community green infrastructure enhancements in line with the objectives of the Lidlington Green Infrastructure Plan. Planning permission should only be refused where the adverse impacts associated with a development would significantly and demonstrably

outweigh its benefits. The weight that should be given to adverse impacts is reduced because policies that constrain the supply of housing are out of date.

In this case, adverse impacts would not significantly and demonstrably outweigh benefits and so planning permission should be granted.

Site Location:

The site has an area of around 2.46ha and is located to the south of Marston Road. Its northern boundary is lined with mature trees. The site forms part of Millbrook proving Ground which is allocated as a Key Employment Site. The main body of the Proving Ground is located to the southeast of the site.

At the eastern part of the site is a Scout Hut and a pond and a bridleway runs northwards in to the site from Marston Road and up to the open countryside to the south. The site rises southwards, away from the road up to Marston Vale.

The main built area of Lidlington is to the north and northwest of the site, on the other side of the road. On the southern side of the road to the west of the site is a playground, then Lidlington Church and then shallow, linear residential development westwards along the Lane, which turns in to High Street.

The site falls outside of the Lidlington Settlement Envelope and is within the open countryside.

The Application:

Outline Planning Permission is sought (with all matters reserved other than access) for up to 40 residential dwellings (C3) with associated car parking and infrastructure, the removal of the redundant former scout hut and replacement with informal open space and associated green infrastructure improvements, habitat creation and landscaping.

An indicative site layout plan has been submitted to show how 40 dwellings could be accommodated at the site. 35% of the units would be affordable homes.

Planning permission was refused in May 2016 (CB/16/00810/OUT) for a similar development at this site for the following reasons:

1. The development would result in the urbanisation of the open countryside, would have a poor relationship with the built up area of Lidlington and would cause significant harm to the character and appearance of the site, the area and the wider landscape. The development would conflict with Policies DM3, DM4, DM14, DM16, CS14, CS16 and CS17 of the Central Bedfordshire Core Strategy and Development Management Policies (North) (2009), the Central Bedfordshire Design Guide (2014) and the National Planning Policy Framework (2012) and the Council's Landscape Character Assessments (2007 and 2015). The adverse impacts of the development would significantly and demonstrably outweigh the benefits.
2. In the absence of a completed legal agreement securing the provision of affordable housing and financial contributions required to mitigate the impacts of the development on local infrastructure, the proposal would be contrary to

Policies CS2 and CS7 of the Central Bedfordshire Core Strategy and Development Management Policies (North) (2009) and the National Planning Policy Framework (2012).

An appeal has been lodged against the Council's decision to refuse that application. The Planning Inspectorate has placed that appeal in abeyance pending a decision on this planning application.

The key differences between this scheme and the scheme which was refused outline planning permission are:

Wider economic and employment benefits

The applicant has with this application set out in greater detail how the development of this site would assist with progressing planned developments at the Proving Ground through providing a capital receipt that would help facilitate those projects.

Planning permission has been granted for Millbrook technology Park, which would provide up to 24,000m² of employment floorspace across four development sites. The applicant has set out that once operational; this development could create 1,231 additional direct, indirect and induced jobs of which 835 are estimated to be created directly at the Technology Park. In the region of 396 construction related jobs could be created and it is estimated that a total of £108.4m Gross Value would be added to the economy (directly and indirectly).

A number of smaller projects including Phase II of the Innovation Centre at the site, an emissions testing facility and a new three bay garage facility also have planning permission.

This development, the applicant has set out, would result in an injection of funds to kick-start some or all of these planned developments. As such, there would be a direct link between this development and the creation of local jobs and investment in the local economy.

Green Infrastructure enhancements

This application proposes to utilise land to the west of the site, which is currently occupied by a small, redundant Scout Hut by providing a range of green infrastructure and community enhancements in line with the aspirations of the 2011 Lidlington Green Infrastructure Plan. The land would become a publically accessible 'pocket park', providing a range of informal recreation and ecological enhancements, including:

- Removal of old Scout Hut – returning the land to a more natural state
- Enhanced pedestrian connectivity – providing a link to the proposed residential development to the north; existing children's play area to the south; and wider Greensand Ridge Trail
- Surface improvements to bridleway BW32
- Management of grassland areas - to provide wildflower meadow or similar
- Opportunities for public art provision, picnic area and benches
- Improvement of village pond area – to provide ecological habitat for newts and a visual feature

- Opportunities for education – through provision of boards providing information on ecology, Greensand Trail route maps etc.
- Native tree and shrub planting – to supplement existing vegetation, including hedge between BW32 and cemetery

The applicant had originally proposed to erect a new community building on this land. The consultation response from the Parish Council made clear that there was no local need for such a facility and so the scheme was amended to provide a benefit associated with the development in line with identified local aspirations in the form of the Lidlington Green Infrastructure Plan.

Landscape Impact

The applicant has agreed to limit the extent of the development so that when an application is made for the approval of Reserved Matters, it would not show proposed built development on the highest ground, at the east of the site. This would seek to reduce the landscape impact of the development and would be controlled by planning condition.

Relevant Policies:

National Policy and guidance

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

Local Policy and guidance

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

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS9	Providing Jobs
CS10	Location of Employment Sites
CS13	Climate Change
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM11	Significant Facilities in the Countryside

DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure
DM17	Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Central Bedfordshire Landscape Character Assessment

Lidlington Green Infrastructure Plan (2011)

Development Strategy

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

Relevant Planning History:

CB/16/00810/OUT

Development of Land off Marston Road, Lidlington for up to 40 residential dwellings, associated infrastructure, land for habitat creation and areas for landscaping with all mattered reserved except for access

Refused: 25th May 2016

Consultation responses:

Neighbours were written to and press and site notices were published. Neighbours were consulted again when the proposed development was materially changed. The responses are summarised below:

Lidlington
Council

Parish Objection for the following reasons:

- Outside of the Settlement Envelope
- The site is in the AONB and has great landscape value
- Highways safety improvements are required and none are proposed
- Existing on street parking is dangerous and this development would make that worse
- Utilities would become overloaded
- There is low water pressure in the area

- There are local springs around the site which are not referenced in the submission
- Headlights from cars emerging from the site would be disruptive
- The access is opposite a bus stop
- The retention of existing landscaping would make the site feel isolated from the village
- No self-build plots are proposed
- The density would be too high
- It would be inappropriate growth in a small village with limited infrastructure
- The village does not need another village hall
- The existing Scout Hut is derelict because it has been neglected
- Play areas referenced are not fit for purpose
- The site would not be sustainable and people would rely on the private car
- There are not enough health facilities in the village
- The Noise Assessment is potentially misleading
- There are a number of inaccurate statements in the planning application
- The development could lead to more flooding than the applications says is the case
- The development would cause landscape harm and would change the appearance of the village when viewed from distance

Neighbours

Two letters of objection were received, commenting as follows:

- The application is very similar to the last one, which was refused.
- Lidlington is a small village that cannot sustain growth
- The development would result in traffic problems
- Construction would be disruptive
- Housing is needed but it should take place on brownfield sites

Consultee responses:

Forest of Marston Vale

The development should contribute to the Forest of Marston Vale

Highways

No objection subject to conditions

Ecology

No objection subject to condition

Archaeology

No objection subject to condition

IDB

No comment

Waste Services	No objection subject to informatives
SuDS	No objection subject to conditions
Trees	No objection subject to conditions
Rights of Way	No objection
Pollution	No objection subject to informative
Landscape	Objection
Sustainable Growth	No objection subject to conditions
Natural England	No comment
Environment Agency	No objection
Anglian Water	No objection subject to conditions
Network Rail	Holding objection pending discussions relating to increased traffic using local level crossings. The applicant and Network Rail are in discussions, the outcomes of which will be reported in the Late Sheet.
Green Infrastructure	Supportive of the proposed 'Scout Hut Land' enhancements. Improvements needed to the GI provision at the main body of the site.

Determining Issues:

The considerations in the determination of this application are:

1. The weight that should be afforded to the development plan
2. The principle of the development
3. The character and appearance of the site and its surroundings, the landscape impact and Green Infrastructure
4. The impact on neighbours and future living conditions
5. Access to the site and other highways implications
6. Heritage assets
7. Trees and hedgerows
8. Ecology and biodiversity
9. Land quality
10. Drainage
11. Energy efficiency
12. Planning obligations
13. The planning balance and conclusions

Considerations:

1. The weight that should be afforded to the development plan

The site falls outside of the Lidlington Settlement Envelope where Policy DM4 seeks to resist development like that proposed.

S38(6) of the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF) (2012) set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para 11).

The National Planning Policy Framework (NPPF) sets out that relevant policies for the supply of housing (including Policy DM4) should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing targets (para 49).

The Council cannot currently demonstrate an ability to meet its housing need for the next five years and so those policies should be regarded as out of date. That does not mean that no weight should be afforded to them. The weight that should be attributed to those policies is related to the extent of the ability of the local authority to meet its housing need. The Council can, at the time of writing, demonstrate an ability to meet around 4.88 years worth of its housing need and so weight can be attached to those policies that are currently regarded as out of date.

Paragraph 14 of the Framework sets out that where relevant policies of the development plan are out of date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, taken as a whole or specific policies in the Framework indicate development should be restricted. This is how the presumption in favour of sustainable development should be interpreted for decision making in the Council's current housing supply context.

In order to establish whether planning permission should be granted for this development, it is necessary to determine whether the impacts arising from granting planning permission are adverse and whether they would significantly and demonstrably outweigh the benefits of that the development would bring forward.

2. The Principle of the development

Employment

Millbrook Proving Ground is allocated as a Key Employment Site, which Policy CS10 states will be safeguarded for future employment use by the Council.

In this case, though, it is clear that the site, on account of its peripheral siting and proximity to existing and proposed dwellings in Lidlington, could not reasonably be useful to the Proving Ground in their operations. It is highly unlikely that the site could generate employment associated with the Proving Ground and so the loss of this part of the Key Employment Site from an employment use would be acceptable in principle.

Residential development in this location

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.

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. As such, the proposed development would conflict with Policy DM4.

For the reasons set out above, a conflict with this policy does not mean that planning permission should be refused in the current housing supply context because Policy DM4 should be treated as out of date. As a result, in that context, a residential development on this site would be acceptable in principle.

3. The character and appearance of the site, the area, the landscape impact and Green Infrastructure

The site

The site currently grassed, with mature trees along its northern boundary. It makes a positive contribution towards the appearance of the area. Building up to 40 dwellings on it would urbanise its character and would fundamentally alter it and its contribution to the local context.

The retention of the dense tree belt on the northern boundary of the site and proposed planting within it would assist to a degree and importantly, a planning condition that would prevent development on the highest part of the site, where buildings would be most prominent would further reduce the visual impact of the development on views of the site.

Even with those measures, the development would clearly introduce an urban character to this site, which is currently rural.

The area

The submitted indicative layout demonstrates that the development would significantly change the appearance of the area.

The urban area of Lidlington is located, for the most part, on the northern side of the road. Whilst there are some buildings on the southern side, these are further to the west of the site and have linear and loose-knit character. This development would not relate to that character, introducing built development on a site away from the built up area of the village and of a different layout to other buildings on the southern side of the road.

The playground to the west of the site currently forms a natural stopping point for buildings on the south of the road and this development would be located beyond that. The proposed recreation and green infrastructure enhancements to the Scout Hut land would assist because it would integrate that part of the site

The Landscape

In a wider landscape context, site forms an integral part of the landscape setting of the wider Millbrook Proving Ground site as well as forming a rural edge to this part of Lidlington.

The site is part of a wooded mosaic of screen planting, scrub, grassland and woodland planting, which creates a valuable component in the view, contributing to the wooded framework within this part of the Forest of Marston Vale. Some nearby homes have an outlook onto the wooded edge of the site.

The strategic landscape planting established around the Millbrook Test Track are already subject to partial removal as a consequence of the recent planning permission for employment use. The wooded triangle of land to the north of the application site will be partially cleared to enable the construction of a building and car parking.

The development would result in a further loss of greenspace, which has value in functioning as part of the Millbrook site, the rural edge to the village of Lidlington.

The site lies within landscape character area 5D - North Marston Vale. The landscape strategy is to enhance and renew the landscape, with guidelines for new development emphasising the need for planting to support the Forest. This development would result in built form extending east from Marston Road. There would be views of the roofscape and lighting from the elevated amenity land at Folly Wood.

This development would result in the loss of landscape structure which contributes to the Forest of Marston Vale and to the setting of the linear edge of Lidlington and as such development would detract from the landscape character.

The site rises quite steeply away from Marston Road and the higher land that forms part of the application site is more sensitive in landscape impact terms than the lower ground nearer to the road.

The submitted indicative layout shows development on that highest ground. Such development would cause the most landscape harm. A planning condition would prevent development at that part of the site so as to reduce the overall landscape impact of the development.

Green Infrastructure

The application would provide for significant enhancements at the Scout Hut land to the west of the site. What is currently a largely redundant space would benefit from a scheme to significantly improve its local value for informal recreation, ecology and connectivity.

An indicative scheme has been submitted and it demonstrates how a number of the objectives set out in the Lidlington Green Infrastructure Plan could be

realised at the site. A final scheme and its delivery, management and maintenance would be secured through a legal agreement.

The planning benefits associated with these enhancements would be notable. It could provide a valuable local facility for existing and future residents of Lidlington and would serve to connect the site with the village.

Green infrastructure provision at the wider site, including its relationship with the Scout Hut Land could be improved and any Reserved Matters application would need to consider how this could be achieved.

4. The impact on neighbours and future living conditions

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

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

A future layout could be secured that would have no harmful impacts on existing neighbours and that would provide an acceptable standard of accommodation for future occupiers of the site. The Parish Council has raised concerns over lights from cars causing disturbance for neighbours opposite as they leave the site but it is unlikely that such an impact would be of a scale sufficient to justify the refusal of planning permission.

5. Access to the site and other highways implications

Highways

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

The Council's Highways Officers are satisfied that the proposed access to the site would be safe and that local roads have capacity to accommodate the development.

The development would necessitate the provision of a pavement along the frontage of the site, a crossing on Marston road and the relocation of the existing bus stop and shelter opposite the proposed access point. These works would be secured by planning condition. A Construction Management Plan would be secured by condition.

Car and cycle parking and the internal highways network would be considered at Reserved Matters stage.

Network Rail has raised a holding objection pending discussions with the applicant other whether measures would be required to mitigate the impacts of the development on existing level crossings within the vicinity of the site. The outcome of these discussions will be reported in the late sheet.

6. Heritage Assets

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

The site lies within the Medieval core of the settlement of Lidlington which is an asset of archaeological interest and is within the setting of two Scheduled Monuments.

A Heritage Statement has been submitted that properly evaluates the potential impacts of the development on those assets. Subject to a condition requiring a Written Scheme of Investigation, the impacts of the development on heritage assets would be acceptable.

7. Trees and hedgerows

The application has been supported by a tree survey. It shows that the majority of the trees and hedgerows, including the important tree belt along the Marston Road boundary would be retained. A condition would require details of tree protection during and post construction.

Full details of landscaping would be secured at Reserved Matters stage.

8. Ecology and biodiversity

An Ecological Appraisal and reports relating to protected species at the site have been submitted in support of the application. The site lies within the Greensand Ridge Nature Improvement Area.

The NPPF calls for development to deliver a net gain for biodiversity. The site is sensitive in biodiversity terms (newts have been identified at the site) and protection during construction would need to be carefully managed. Preventing development at the highest part of the site (which is particularly sensitive) and the green infrastructure enhancements at the land to the west would assist in ensuring protection and opportunities for enhancement at the site.

A condition would secure details of how this would be achieved.

9. Land quality

The applicant has submitted a Geo-Environmental Survey which demonstrates that the site would not pose a risk to health.

10. Drainage

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

sites.

The applicant has submitted a Flood Risk Assessment and a Drainage Strategy which provides detail of how surface water could be managed at the site.

The Council's Drainage Engineers and Anglian Water are satisfied that, subject to planning conditions, an acceptable drainage scheme for the site could be secured. The IDB and the Environment Agency have raised no objection.

11. Energy efficiency

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

These measures would be secured by condition.

12. Planning obligations

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

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

The following heads of terms would be secured through a legal agreement:

Affordable Housing

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

Build Rate Timetable

All of the dwellings at the site would be delivered within a five year period from the date of planning permission being granted.

Green Infrastructure

A Green Infrastructure Scheme, including its ongoing management and maintenance would be secured for the land at the west of the site (the 'Scout Hut Land'). The scheme would be based on the objectives of the Lidlington Green Infrastructure Plan (2011) and would enhance connectivity between the village and the surrounding countryside.

Education

The following contributions towards local education provision would be secured:

£27,652.80 towards early years place provision at Thomas Johnson Lower School or other such projects to mitigate the impacts of this development.

£92,176.00 towards lower school place provision at Thomas Johnson Lower School or other such projects to mitigate the impacts of this development.

£92,751.36 towards middle school place provision at Marston Vale Middle School or other such projects to mitigate the impacts of this development.

£113,737.73 towards upper school place provision at Wootton Upper School or other such projects to mitigate the impacts of this development.

The total contribution towards education provision would be **£326,317.89**.

Leisure

The following contributions towards local leisure facilities would be secured:

- £33,462 towards equipment at Flitwick Leisure Centre.
- £65,000 towards improvements to the recreation area in the village.
- £12,693 towards improvements to the sports pavilion in the village.

The total contributions towards leisure facilities (excluding the cost of the Green Infrastructure improvements at the 'Scout Hut Land' would be **£111,155**.

Network Rail

Discussions between the applicant and Network Rail over whether mitigation would be required to reflect increased usage of existing level crossings in the area are ongoing. In the event that a contribution is sought, this would be reflected in the late sheet.

13. The planning balance and conclusions

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

The Council cannot currently demonstrate an ability to meet its housing need for the next five years. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

This development would result in adverse impacts. There would be harm caused to the appearance of the site through its urbanisation. The development would not relate very well to the character of the area and there would be harm caused to the landscape. Those harms would be reduced to a degree by the provision of a 'pocket park' to the west of the built development which would improve the relationship between the site and the village and by a planning condition preventing development on the highest, most sensitive part of the site.

There would be a number of benefits associated with the development. The

delivery of up to 40 dwellings, including affordable housing within the five year period would be a significant benefit.

The applicant has demonstrated that the release of this site for housing would have a direct relationship with the delivery of projects at the Proving Ground and these will create jobs and result in a boost to the local economy. It has not been demonstrated that this development is the only way of funding those projects, though, and that should influence the weight afforded to this benefit.

The development would bring forward the provision of a new 'pocket park- for the area. This would deliver a range of informal recreation, ecological and green infrastructure enhancements in line with many of the objectives of the Lidlington Green Infrastructure Plan. This would represent a significant local benefit.

When compared with the last application at this site, which was refused, this scheme would result in reduced adverse impacts and increased benefits. It would no longer be the case that the adverse impacts would significantly and demonstrably outweigh the benefits. As such, in line with Paragraph 14 of the Framework, planning permission should be approved.

Recommendation:

That Planning Permission is granted subject to the following conditions and the heads of terms set out in this report:

- 1 **No development shall commence at the site before details of the appearance, landscaping, layout and scale of the development (herein called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

- 2 An application or applications for the approval of all 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 This permission does not extend to the Indicative Masterplan (1459-27/PL01 rev A) or Indicative Outline Landscape Design (SK01 rev A) submitted with the application.

Reason: To avoid doubt.

- 4 **No development shall commence at the site before details of the junction between the proposed access road and the public highway**

have been submitted to and approved in writing by the Local Planning Authority and no building at the site shall be occupied before that junction has been constructed in accordance with the approved details.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed access road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 5 No building at the site shall be occupied before details of the relocation of the bus stop and bus shelter on Marston Road opposite the site access including a timetable for their relocation have been submitted to and approved in writing by the Local Planning Authority. Their relocation shall be carried out in accordance with the approved details and the approved timetable.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed access road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 Before the new access is first brought into use visibility splays shall be provided on each side of the new access at its junction with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The vision splays so described shall thereafter be kept free of all obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 7 **No development shall commence at the site before a scheme showing the provision of a 2.0m wide footway across the site frontage together with details of pedestrian crossing/s on The Lane/Marston Road have been submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the footway and crossing/s has been constructed in accordance with approved details unless otherwise agreed beforehand in writing by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.**

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would

be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

8 Any subsequent application for the approval of Reserved Matters shall include the following:

- a) Estate road design to geometric standards appropriate for adoption as public highway
- b) Cycle parking and storage in accordance with the council's standards applicable at the time of submission
- c) Vehicle parking and garaging, inclusive of visitor parking in accordance with the council's standards applicable at the time of submission
- d) A Construction Management Plan detailing the hours of construction work and deliveries, parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, storage of plant and materials used in constructing the development and wheel washing facilities

Reason: To ensure that the Local Planning Authority is able to determine whether the highways and traffic implications of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

9 Any application for the approval of Reserved Matters shall be accompanied by an Ecological Design Strategy (EDS) addressing mitigation, compensation and enhancement.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial after care and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

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

Reason: To ensure that ecology and biodiversity at the site is protected and enhanced in accordance with Policies CS18, DM3 and DM18 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the aims and objectives of the National Planning Policy Framework (2012).

- 10 **No development shall commence at the site before a Written Scheme 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 shall be implemented in full accordance with the approved archaeological scheme.**

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available. 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 Framework, that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 11 **Notwithstanding the submitted details, no development shall commence at the site before a detailed surface water drainage scheme for the site and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to Qbar as outlined in the Drainage Strategy Report, as well as details of how the system will be constructed including any phasing of the scheme.**

No building at the site shall be occupied before the scheme has been completed in accordance with the approved details.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF. The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 12 **No building at the site shall be occupied before a Maintenance and Management Plan for the surface water drainage system at the site, inclusive of any adoption arrangements and/or private ownership or responsibilities has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The system shall be maintained and managed in accordance with the approved details.**

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

- 13 **No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local**

Planning Authority in consultation with Anglian Water. No dwellings at the site shall be occupied until the strategy has been completed in accordance with the approved details.

Reason: To ensure that foul water at the site is properly managed to prevent environmental and amenity problems arising from flooding in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

14 **No development shall commence at the site before details of how the development would achieve the following sustainability standards has been submitted to and approved in writing by the Local Planning Authority.**

- That of the 10% energy demand of the development would be secured from renewable or low carbon sources;
- That the dwellings would be water efficient and achieve a standard of 110 litres per person per day.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development achieves the sustainable objectives in accordance with policies CS13, DM1, DM2 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

15 **No development shall commence at the site before Tree Protection Plan and Method Statement showing how retained trees and hedgerows at the site would be protected during and after construction has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that trees and hedgerows at the site would be properly protected in accordance with policies CS17, CS17, DM3, DM14 and DM16 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

16 **Any application for Reserved Matters shall include details of existing and proposed site levels, slab, eaves and ridge heights of proposed buildings and cross sections through the site showing the relationship between the development and the highway and properties on the northern side of Marston Road.**

Reason: To ensure that the appearance of the development would be acceptable and that the scheme is designed to reduce the impact of it on the landscape in accordance with policies CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 17 Notwithstanding the details shown on the submitted Indicative Masterplan, any application for the approval of Reserved Matters shall not show any built development proposed on land at the site at a level of 80.0 AOD or greater as shown on drawing number 150603-MPG-AIA-LJ (appended to the Arboricultural Impact Assessment).

Reason: To ensure that the appearance of the development would be acceptable and that the scheme is designed to reduce the impact of it on the landscape in accordance with policies CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 18 Other than where expressly excluded by conditions attached to this permission, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans and reports:

1459-27/PL01 rev A, SK01 rev A, Acoustic Assessment reference RP01-16181 REV1, Great Crested Newt Report dated July 2014, Design and Access Statement dated December 2016, Heritage Statement dated 14th December 2016, Residential Travel Plan dated December 2016, Planning Statement dated December 2016, Preliminary Ecological Appraisal dated June 2015, Phase 2 Environmental Investigation dated September 2013, Transport Assessment dated December 2016, Protected Species Report dated December 2016, Flood Risk Assessment dated December 2016, Drainage Strategy Report dated December 2016, Arboricultural Impact Assessment dated June 2015 and Landscape and Visual Impact Assessment dated February 2016

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 the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

3. The applicant is advised that in order to comply with planning conditions 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 Contract team Central Bedfordshire Highways, 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.
5. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Contract Team, Central Bedfordshire Highways, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
6. The applicant is reminded that it will be necessary to apply for an EPS licence from Natural England once planning permission is granted.
7. The Council's waste collection pattern for Lidlington is as follows:

Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy
Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

Wherever possible, refuse collection vehicles will only use adopted highways. If the access road is to be used, it must be to adoptable standards. Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for at least 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags. Waste vehicles will reverse a maximum of 15m to the point of collection.
8. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning

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.

LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – Date 2/3.

Item 6 (Pages 15 – 44) – CB/16/04658/FULL – Land north of Potton Road, Biggleswade

Consultation responses

Biggleswade Town Council has objected to the planning application for the following reasons:

- Loss of Prime Agricultural Land
- Outside the development envelope
- Lack of Infrastructure
- Roads unsuitable to sustain increase in traffic created by proposed development.
- Community Facilities inadequate, doctors Schools etc.
- Feasibility Study needs to be carried out on proposed Northern Bypass before any development proposals come forward.
- Application premature as no Local Plan in place.

The Town Council objection provides a further reason for the application being determined by Development Management Committee.

A further 40 letters of objection have been received (plus further correspondence from some residents reinforcing or repeating certain points). These largely repeat concerns previously raised but are summarised here for completeness:

- The report is inaccurate
- The report was published whilst the consultation period was open
- The Council does have a 5 year land supply
- The adverse impacts of the development would significantly and demonstrably outweigh the benefits
- The development would not be sustainable in NPPF terms
- The site is prime agricultural land
- The development conflicts with various development plan policies
- There is planning history at the site and it has been promoted for allocation in the past
- Biggleswade Town Council has objected

- Biggleswade cannot accommodate additional growth because its infrastructure (including social) is inadequate
- Objections have not been fully or accurately summarised
- The Council was aware that this application was going to be submitted
- Community Engagement has been lacking
- Biggleswade has grown a great deal in recent years
- The impacts of the development on the highways network would be significant and harmful – the ERR would not assist
- Inspectors have previously found Potton Road unsuitable for additional growth
- Unwelcome intrusion into the open countryside
- Footpaths are too narrow
- The planning application is inaccurate
- The site would be urban sprawl
- There would be health and safety risks because of the proximity to the school
- There is a lot of parking on the highway in the roads in the town
- Public transport is inadequate
- There would be harm to local ecology
- The size and character of the town would be harmfully changed
- Biggleswade has taken too much development
- The amendments to the scheme do not overcome fundamental concerns
- There is not enough parking in the town centre
- The applicants have an option on land to the north of the site
- There is not enough local employment
- The countryside would be spoiled
- There would be a loss of privacy
- Noise pollution has risen dramatically
- It is wrong to build over a bridleway
- The site has recreational value that would be lost
- Crime has gone up
- There are sewage problems
- Affordable homes are not truly affordable

Highways summary/corrections

The following information relating the trip generation should replace that set out in the report. The conclusions relating to the highways impacts of the development set out in the report are unchanged:

Residential (233 units)	Vehicle Trips - 2016 Transport Assessment						Daily (07.00-19.00)
	AM Peak (08.00-09.00)			PM Peak(17.00-18.00)			
	In	Out	Two-Way	In	Out	Two-Way	Two-way
Total	36	84	120	82	50	132	1137

Source	Transport Assessment Directional Splits			
	AM Peak		PM Peak	
	To / from Biggleswade	To / From North	To / from Biggleswade	To / From North
Transport Assessment	36 x 2 way 30%	84 x 2 way 70%	40 x 2 way 30%	92 x 2 way 70%

However local data from the David Wilson Homes development serves to suggest that there will be an additional 52 trips in the AM peak and additional 26 in the PM peak traffic going to/from Biggleswade.

Consequently the junction assessments have been revisited to test for this potential scenario For those junctions tested:

Potton Rd/Drove Rd – still operating within capacity.

London Rd /Drove Rd – still operating within capacity.

Sun Street/Shortmead St – over capacity in the PM peak without development but development impact is negligible(extra 5 vehicles only)

Sainsbury’s access/Shortmead St - still operating within capacity.

Planning history

Planning permission was refused under references MB/87/00983/FA and MB/90/00262/FA for residential development on the southern part of this site in 1987 and 1991 respectively. Given the passage of time and the changes in material circumstances at and around the site and the changes in the national and local planning policy position since those decisions were made, they have limited relevance to this planning application.

The planning permission for development at the adjacent site was varied under reference CB/15/04897/VOC. This reduced the number of units to 300 and accommodated various internal layout changes.

Planning conditions

The following planning conditions should be included added:

17. No development shall commence at the site before detailed plans of roads, footways, footpaths, cycleways, surface water drainage, landscaping and street lighting have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.

Reason: To ensure satisfactory development of the site and suitable standard of highway design and construction in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014).

18. No development shall commence at the site before technical details of the proposed emergency access have been submitted to and approved in writing by the Local Planning Authority. Details shall include a road safety audit, details of any repositioning of street furniture, and traffic regulation orders where appropriate.

Reason: In interests of road safety in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

The list of drawing numbers should be corrected to read:

100E, 101F, 102E, 103C, 104C, 105C, 107C, 108C, 109C, 121A, 124A, 125A, 126A, 138A, 139A, 140A, 141A, 142A, 143A, 144B, 160A, 161B, 164A, 165A, 166B, 171A, 172A, 173A, 174B, 175A, 176B, 177A, 178A, 179A, 180A, 181A, 182B, 120A, 190A, 191B, 192A, 193A, 194A, 203A, 204A, 205B, 206A, 207A, 208A, 209A, 212A, 215A, JYY8443-001 REV E, 210, 211, JBA 15_292_01 REVC, JBA 15_292_02 REV C, JBA 15_292_03 REV C, JBA 15_292_04 REV C, JBA 15_292_05 REV C, JBA 15_292_06 REV C, JBA 15_292_07 REV C, JBA 15_292_08 REV B, JBA 15_292_09 REV B, JBA 15_292_10 REV B, JBA 15_292_11 REV B, 106, 110, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 235, 236, 237, 183, 184, 185, 225, 226, 227, 228, 229, 220, 221, Design and Access Statement rev B dated September 2016, Planning Statement dated September 2016, Noise Assessment dated August 2016, Archaeological Evaluation and Assessment dated March 2016, Archaeological Written Scheme of Investigation dated March 2016, Phase 1 Habitat Survey dated November 2015, Transport Assessment dated September 2016, Travel Plan dated September 2016,

Arboricultural Impact Assessment dated 17 June 2016 and Flood Risk and Drainage Strategy dated September 2016

Condition 17 should be re-numbered as condition 19 and updated accordingly.

Condition 14 should refer to Plots 14-17.

Planning obligations

The following additional financial contributions would be secured through a legal agreement:

£30,000.00 towards public rights of way improvements in the area.

£48,500.00 towards town centre car parking and associated infrastructure and management in Biggleswade.

Item 7 (Pages 45-68) – CB/16/5887/OUT – Land Opposite The Lane & Lombard Street, East of Marston Road, Lidlington, MK45 2JQ

Additional Consultation Responses

Network Rail

Network Rail has confirmed that its objection is withdrawn subject to a contribution of £60,000 being secured towards level crossing improvements.

One further consultation response has been received, which is set out below:

Is there no end to the amount of green space being promoted as suitable for housing? first there is the housing granted to be build adjacent to butler drive, then there is the increase in railway traffic and now this. Why is such a small village being raped of its natural beauty for the sake of profit and gain for the big building companies.

I would like to see the areas surrounding the decision makers in this council application and be made aware of how many new developments have been approved in their back yard. i suspect elitism rules and would result in a big, fat, juicy ZERO.

This is not a game of Sims, this is not a hobby that you are making decisions on, it is the home of real life human beings. surely anyone can see that this is a ridiculous idea and should be stopped.

I would also loose the open space that i walk my beloved pet dog. why should he suffer for others gain?

yours sincerely,

the Tax payer, paying your wages.

Amended recommendation:

The following clauses should be added to the recommendation:

In the event that a s106 agreement securing the heads of terms set out in the report, including a Build Rate Timetable and a Network Rail contribution, is not completed within a period judged to be reasonable by the Head of Service, officers are authorised by the Development Management Committee to refuse planning permission using delegated powers.

Item 8 (Pages 69-96) – CB/16/01420/FULL – Land west of High Street, Arlesey

Amended conditions:

Condition 2 – list of approved drawings – add following drawing numbers:-

17341/105A Type 1458 Elevations, 17341/104A Type 1458 Plans, 17341/103A Type 1520 Elevations, 17341/102A Type 1520 Plans, 17341/101A Type 1738 V1 Elevations, 17341/100A Type 1738 V1 Plans, 17341/111A Type 1120 Elevations, 17341/110A Type 1120 Plans, 17341/109A Type 1203 Elevations, 17341/108A Type 1203 Plans, 17341/107B Type 1190 Elevations, 17341/106B Type 1190 Floor Plans, 17341/1008A Location Plan

Condition 5 – delete requirement for ground investigation works to determine infiltration capacity as these have already been undertaken and informed the Environmental Statement. To be reworded as follows:-

No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA dated September 2016 prepared by Woods Hardwick Infrastructure LLP) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF. This is a pre-commencement condition as the detailed design of the drainage systems needs to be approved prior to construction of the dwellings and then installed accordingly.

Condition 6 – delete, as it duplicates part of the detail of condition 5.

Condition 9 – tree protection – the details are already provided, so the condition should require the protection to be ‘in accordance with’ rather than to be submitted. To be reworded as follows:-

No equipment, machinery or materials shall be brought on to the site for the purposes of development until protective fencing for the protection of any retained trees as set out in drawing JBA 15-350 TP01 Rev C shown in appendix 2 of the Arboricultural Impact Assessment ref JBA 15/350 AR02 Rev C, has been installed in the locations indicated. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: To protect the trees in accordance with Section 8 of BS 5837 of 2012 and Sections 7 and 11 of the NPPF

Informative 1 – to add 19 to the missing condition number.

Item 9 (Pages 97-116) – CB/16/01608/OUT – Land at White Horse Field, Arlesey

Amended condition, which currently reads as:

No development shall take place until details of the junction between the proposed estate road and the highway have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road. (Section 4, NPPF) This is a pre-commencement condition as the junction is required to be installed prior to construction of the dwellings.

Amend to add ‘including details of raised table at the junction with the High Street’ in brackets after the word highway.

Item 10 (Pages 117 - 130) – CB/17/00301/REG3 Unit A Station Approach, Steppingley Road, Flitwick

No Update

Item 11 (Pages 131 - 146) – CB/16/4703/FULL – 14 Dunstable Street, Ampthill, Beds

Additional Consultation Response

Highways

Based on the submitted TRIC's data it is estimated that the previously approved care home use would have generated approximately 140 daily traffic movements.

It is estimated that the proposed 24 apartments would generate approximately 66 daily movements.

Additional Conditions

Any external lighting to be installed on the building or within the site shall be first agreed in writing by the Local Planning Authority and shall only be implemented in accordance with the agreed details.

Item 12 (Pages 147 - 158) – CB/16/5883/FULL – Centre Parcs Woburn Forest Holiday Village

No Update

Item 13 (Pages 159 - 168) – CB/17/00053/FULL – Wren House, Station Road, Ampthill

No Update

Item 14 (Pages 169 - 202) – CB/16/5241/FULL – The George, High Street, Silsoe

Additional Consultation Responses

1. CBC Economic Development Team (24/03/17)- We welcome a more diverse and robust business opportunity to the site. The hotel has not been viable for a period of at least 7 years based on the information supplied. The additional residential space would provide opportunities to regenerate the community facilities of the pub and an additional restaurant and as such we support the approach.

Additional Neighbour Comments

1. Silsoe Community Society Ltd (22/03/17 & 27/03/17)- Concerns expressed about why viability reports are not made public and the reliability of the viability report content. In addition concerns that the proposal would lead to the demise of the

community asset listing and the long term use of the building as a public house/community facility.

Additional/Amended Conditions/Reasons

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Item No. 7

Appendix C

APPLICATION NUMBER	CB/16/05887/OUT
LOCATION	Land opposite The Lane & Lombard Street, East of Marston Road, Lidlington, Bedford, MK45 2JQ
PROPOSAL	Outline planning application with all matters reserved except access for up to 40 residential dwellings (C3) with associated car parking and infrastructure; removal of redundant former scout hut and replacement with informal open space and associated green infrastructure improvements, habitat creation and landscaping
PARISH	Lidlington
WARD	Cranfield & Marston Moretaine
WARD COUNCILLORS	Cllrs Morris, Matthews & Mrs Clark
CASE OFFICER	Nikolas Smith
DATE REGISTERED	21 December 2016
EXPIRY DATE	22 March 2017
APPLICANT	Millbrook Proving Ground Ltd
AGENT	DLP Consultants
REASON FOR COMMITTEE TO DETERMINE	This is a major application that would represent a departure from the Development Plan and to which the Parish council has objected.

In addition, Cllr Morris requested that the application be determined by Development Management Committee in the event of a recommendation for approval for the following reasons:

- **Not in line with existing local plan**
- **Loss of open countryside**
- **Unsustainable addition to small village with limited services**
- **Not in keeping with small village**
- **Increased traffic flow at dangerous junctions**
- **Insufficient parking**
- **Blight on the vista of Marston Vale**

RECOMMENDED DECISION

Outline Application – approval

In the event that a s106 agreement securing the heads of terms set out in the report, including a Build Rate Timetable and a Network Rail contribution, is not completed within a period judged to be reasonable by the Head of Service, officers are authorised by the Development Management Committee to refuse planning permission using delegated powers.

- 1 **No development shall commence at the site before details of the appearance, landscaping, layout and scale of the development (herein called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

- 2 An application or applications for the approval of all 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 This permission does not extend to the Indicative Masterplan (1459-27/PL01 rev A) or Indicative Outline Landscape Design (SK01 rev A) submitted with the application.

Reason: To avoid doubt.

- 4 **No development shall commence at the site before details of the junction between the proposed access road and the public highway have been submitted to and approved in writing by the Local Planning Authority and no building at the site shall be occupied before that junction has been constructed in accordance with the approved details.**

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed access road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 5 No building at the site shall be occupied before details of the relocation of the bus stop and bus shelter on Marston Road opposite the site access including a timetable for their relocation have been submitted to and approved in writing by the Local Planning Authority. Their relocation shall be carried out in accordance with the approved details and the approved timetable.

Reason: In order to minimise conditions of danger, obstruction and inconvenience to users of the highway and of the proposed access road in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 Before the new access is first brought into use visibility splays shall be

provided on each side of the new access at its junction with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The vision splays so described shall thereafter be kept free of all obstruction to visibility exceeding a height of 600mm above the adjoining carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 7 **No development shall commence at the site before a scheme showing the provision of a 2.0m wide footway across the site frontage together with details of pedestrian crossing/s on The Lane/Marston Road have been submitted to and approved by the Local Planning Authority and no dwelling shall be occupied until the footway and crossing/s has been constructed in accordance with approved details unless otherwise agreed beforehand in writing by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.**

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 8 Any subsequent application for the approval of Reserved Matters shall include the following:
- a) Estate road design to geometric standards appropriate for adoption as public highway
 - b) Cycle parking and storage in accordance with the council's standards applicable at the time of submission
 - c) Vehicle parking and garaging, inclusive of visitor parking in accordance with the council's standards applicable at the time of submission
 - d) A Construction Management Plan detailing the hours of construction work and deliveries, parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, storage of plant and materials used in constructing the development and wheel washing facilities

Reason: To ensure that the Local Planning Authority is able to determine whether the highways and traffic implications of the development would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 9 Any application for the approval of Reserved Matters shall be accompanied by an Ecological Design Strategy (EDS) addressing mitigation,

compensation and enhancement.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial after care and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

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

Reason: To ensure that ecology and biodiversity at the site is protected and enhanced in accordance with Policies CS18, DM3 and DM18 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the aims and objectives of the National Planning Policy Framework (2012).

- 10 **No development shall commence at the site before 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 shall be implemented in full accordance with the approved archaeological scheme.**

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework to record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available. 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 Framework, that requires the recording and advancement of understanding of the significance of any heritage assets to be lost (wholly or in part).

- 11 **Notwithstanding the submitted details, no development shall commence at the site before a detailed surface water drainage scheme for the site and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to Qbar as outlined in the Drainage Strategy Report, as**

well as details of how the system will be constructed including a phasing of the scheme.

No building at the site shall be occupied before the scheme has been completed in accordance with the approved details.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF. The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 12 No building at the site shall be occupied before a Maintenance and Management Plan for the surface water drainage system at the site, inclusive of any adoption arrangements and/or private ownership or responsibilities has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The system shall be maintained and managed in accordance with the approved details.

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

- 13 No development shall commence at the site before a foul water strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. No dwellings at the site shall be occupied until the strategy has been completed in accordance with the approved details.

Reason: To ensure that foul water at the site is properly managed to prevent environmental and amenity problems arising from flooding in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 14 No development shall commence at the site before details of how the development would achieve the following sustainability standards has been submitted to and approved in writing by the Local Planning Authority.

- That of the 10% energy demand of the development would be secured from renewable or low carbon sources;
- That the dwellings would be water efficient and achieve a standard of 110 litres per person per day.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development achieves the sustainable

objectives in accordance with policies CS13, DM1, DM2 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 15 No development shall commence at the site before Tree Protection Plan and Method Statement showing how retained trees and hedgerows at the site would be protected during and after construction has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that trees and hedgerows at the site would be properly protected in accordance with policies CS17, CS17, DM3, DM14 and DM16 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The details that would be secured by this condition require approval prior to the commencement of the development because they are fundamental to the acceptability of the development overall.

- 16 Any application for Reserved Matters shall include details of existing and proposed site levels, slab, eaves and ridge heights of proposed buildings and cross sections through the site showing the relationship between the development and the highway and properties on the northern side of Marston Road.

Reason: To ensure that the appearance of the development would be acceptable and that the scheme is designed to reduce the impact of it on the landscape in accordance with policies CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 17 Notwithstanding the details shown on the submitted Indicative Masterplan, any application for the approval of Reserved Matters shall not show any built development proposed on land at the site at a level of 80.0 AOD or greater as shown on drawing number 150603-MPG-AIA-LJ (appended to the Arboricultural Impact Assessment).

Reason: To ensure that the appearance of the development would be acceptable and that the scheme is designed to reduce the impact of it on the landscape in accordance with policies CS16, DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 18 Other than where expressly excluded by conditions attached to this permission, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans and reports:

1459-27/PL01 rev A, SK01 rev A, Acoustic Assessment reference RP01-16181 REV1, Great Crested Newt Report dated July 2014, Design and Access Statement dated December 2016, Heritage Statement dated 14th December 2016, Residential Travel Plan dated December 2016, Planning

Statement dated December 2016, Preliminary Ecological Appraisal dated June 2015, Phase 2 Environmental Investigation dated September 2013, Transport Assessment dated December 2016, Protected Species Report dated December 2016, Flood Risk Assessment dated December 2016, Drainage Strategy Report dated December 2016, Arboricultural Impact Assessment dated June 2015 and Landscape and Visual Impact Assessment dated February 2016

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 the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
3. The applicant is advised that in order to comply with planning conditions 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 Contract team Central Bedfordshire Highways, 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.
5. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Contract Team, Central Bedfordshire Highways, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
6. The applicant is reminded that it will be necessary to apply for an EPS licence from Natural England once planning permission is granted.

7. The Council's waste collection pattern for Lidlington is as follows:

Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy

Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

Wherever possible, refuse collection vehicles will only use adopted highways. If the access road is to be used, it must be to adoptable standards. Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for at least 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags. Waste vehicles will reverse a maximum of 15m to the point of collection.

8. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

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.

NOTES

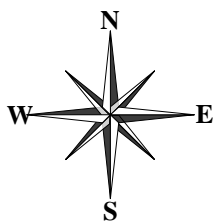
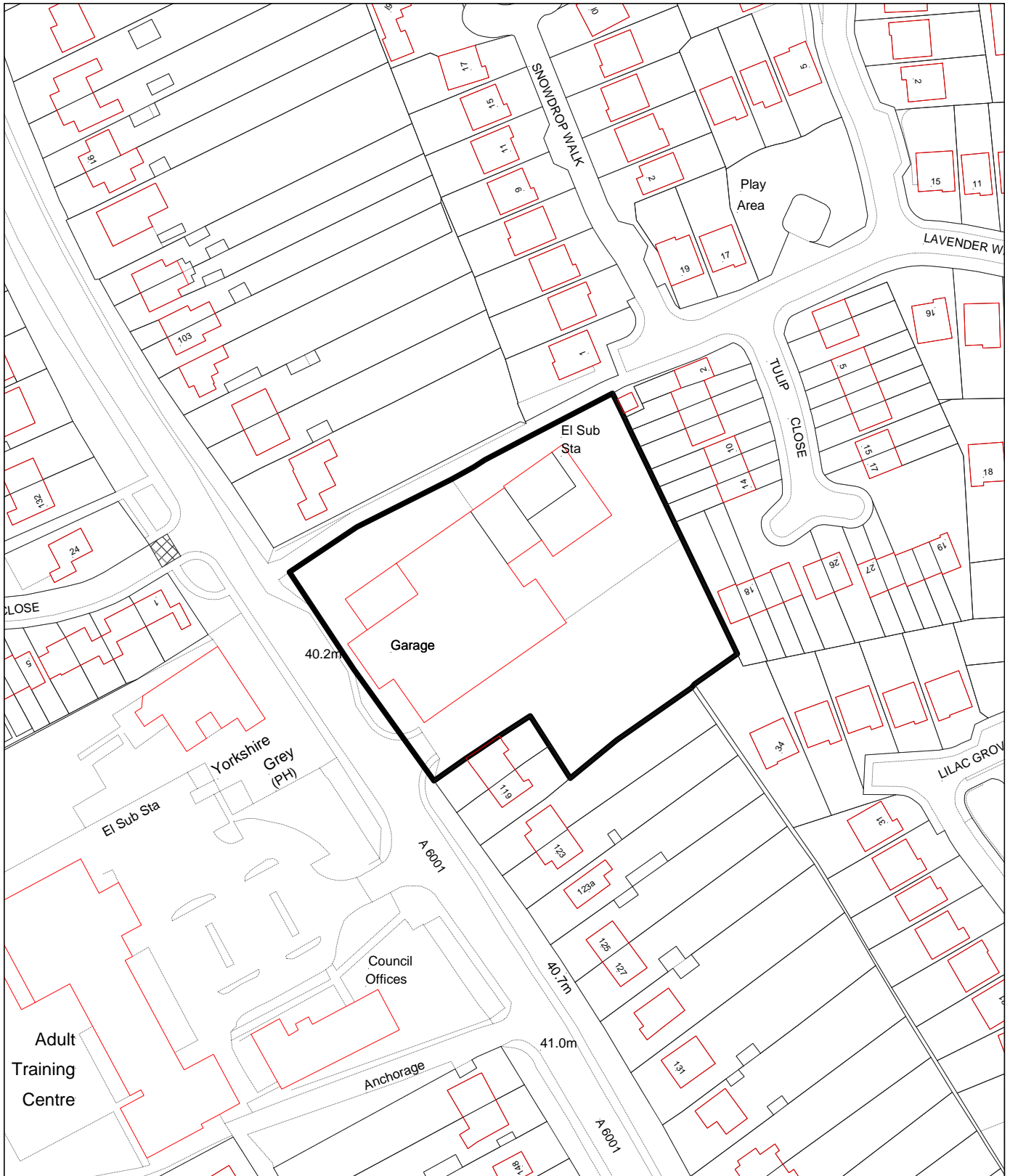
- (1) In advance of the consideration of the application the Committee were advised of additional consultation received from Network Rail and an amendment to the recommendation.
- (2) In advance of the consideration of the application the Committee received representations made under the public participation scheme.

The Committee resolution included the following further heads of terms:

- A financial contribution towards a study of junction capacity at Lidlington A507/Bury Ware junction

- A commuted sum associated with the transfer of the 'Scout Hut land'
- That the Council is made aware of how Network Rail intends to spend the contribution secured and that it determines whether to transfer that contribution to Network Rail in light of that information

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Date: 06:June:2017

Map Sheet No

Application No:
CB/17/01023/FULL

Scale: 1:1250

115 London Road, Biggleswade, SG18 8EX

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Item No.

APPLICATION NUMBER	CB/17/01023/FULL
LOCATION	115 London Road, Biggleswade, SG18 8EX
PROPOSAL	Demolition of existing building and structures. Erection of a one to two and half storey 70 bedroom residential care home (Use Class C2) and associated access, parking and landscaping.
PARISH	Biggleswade
WARD	Biggleswade South
WARD COUNCILLORS	Cllrs Lawrence & Woodward
CASE OFFICER	Nikolas Smith
DATE REGISTERED	28 February 2017
EXPIRY DATE	30 May 2017
APPLICANT	Mantles Group Limited (CRN:00338770) and Frontier Estates (Stevenage) Limited
AGENT	Rapleys LLP
REASON FOR COMMITTEE TO DETERMINE	This is a major application where the Town Council has objected
RECOMMENDED DECISION	Full Application - Approval

Reason for recommendation:

The principle of the development, its scale, design, impact on neighbours and highways implications would be acceptable. The overall quality of the scheme would be high and it would be in accordance with relevant Development Plan policies and the Council's Design Guide.

Site Location:

The site has an area of around 0.51ha and is located on the east side of London Road. It is currently occupied by a car dealership. It is surrounded by housing to the north, east and south. The Yorkshire Grey Public House and Council offices are located to the west of the site, on the opposite side of London Road.

The site is located within the Biggleswade Settlement Envelope and around 0.8km from the town centre. There is a footpath running along the northern edge of the site from London Road to Tulip Close.

The Application:

Full planning permission is sought for the demolition of the existing building at the site and its replacement with a care home with 70 bedrooms (use class C2). The building would be a maximum of two and a half storeys in height. The existing vehicular access would be closed up and replaced with an access at the north of the site. 24 car parking spaces would be provided along the northern boundary. Around 1,965m² of external amenity space would be provided to the south of the building for use by future residents.

Relevant Policies:

National Policy and guidance

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

Local Policy and guidance

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

CS1 Development Strategy
CS3 Healthy and Sustainable Communities
CS4 Linking Communities – Accessibility and Transport
CS13 Climate Change
CS14 High Quality Development
CS16 Landscape and Woodland
CS17 Green Infrastructure
CS18 Biodiversity and Geological Conservation
DM3 High Quality Development
DM4 Development Within and Beyond Settlement Envelopes
DM14 Landscape and Woodland
DM15 Biodiversity
DM16 Green Infrastructure
DM17 Accessible Green Spaces

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Central Bedfordshire Landscape Character Assessment

Development Strategy

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

Relevant Planning History:

There is no recent, relevant planning history at the site.

Consultation responses:

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

Neighbours

Eight letters of objection have been received and the contents is summarised below:

- The town requires more important facilities than care homes.
- Fencing around the site should be replaced.
- Construction hours should be controlled.
- Privacy for existing neighbours would be compromised.
- There would be traffic problems.
- Deliveries could create noise.
- The layout and design is inappropriate and it would be too near to existing properties.
- Bins would be too near to existing neighbours.
- Not enough parking is proposed.
- Trees outside of the site could be harmed.

Consultee responses:

Biggleswade Council

Town Objection for the following reason:

There is likely to be insufficient parking to cater for the needs of staff, visitors and visiting health workers. The proposed access, egress is too close to the existing pedestrian crossing.

MANOP

Summary

We consider that the scheme would be beneficial to overall care home provision within the Ivel Valley. We support the application. Good practice design and layout should be encouraged.

SUDS

We expect details to demonstrate the proposed method of surface water discharge and management of flood risk to be provided. This should be in accordance with the Central Bedfordshire Sustainable Drainage Guidance (CBC, Adopted April 2014 Updated May 2015), the Non-statutory technical standards for sustainable drainage systems (Defra, 2015), and industry best practise such as the SuDS Manual C753 (Ciria, 2016).

Highways

The proposed site layout shows that the existing site access is to be stopped up and the kerb and footway reinstated. A new vehicular access is shown to be provided towards the northern boundary of the site and as part of the works to create the new access, the existing 3 car lay-by across the site frontage will be removed. These works will need to be subject to a S278 Agreement.

The application is supported by a number of documents, including a Transport Statement and a Travel Plan. Colleagues in Transport Strategy should be asked to review the proposed Travel Plan if they have not already been consulted.

The Transport Statement contains trip rate analysis for residential care homes and car showrooms and the comparative assessment shows that the proposed care home will generate lower levels of traffic movement in both of the traditional peak periods as well as throughout the day.

24 parking spaces are shown to be provided to serve the proposed development. The Council's standards require the provision of 1 space per 4 bedrooms and 1 space per 2 members of staff. Thus with 70 bedrooms and an estimated staffing level of 25 people per shift, a total of 28 spaces should be provided. The proposed parking levels are thus slightly below the maximum number of parking spaces required.

The trip rate analysis contained within the Transport Statement has been used to assess the parking accumulation based on the likely arrival/departure pattern. This shows a maximum parking accumulation of 13 vehicles.

Thus the proposed parking provision of 24 spaces can be considered acceptable.

A loading area and turning head are proposed to the rear of the care home. Track plots have been produced that demonstrate that the large refuse vehicle can enter the site, turn and leave in forward gear.

The relocation of the site access towards the northern boundary of the site will result in the access being closer to the existing Toucan pedestrian crossing in London Road. However vehicle tracking has been undertaken to demonstrate that the separation between the site access and the Toucan crossing is sufficient to allow a large car to turn out of the site into London Road and wait at the stop line to the crossing.

While the separation between the proposed site access and the Toucan crossing is sufficient, the applicant is proposing that as part of the S278 works described above a new secondary signal head is provided at the crossing. This will ensure that drivers exiting the development will have full view of the Toucan crossing signal heads.

A Stage 1 Road Safety Audit has also been undertaken. This has identified that there is insufficient tactile paving at the junction of London Road and York Close and that tactile paving should be provided across the site access junction serving the Care Home. The RSA makes the following recommendation:

“Undertake a review of the proposed site access, within the context to likely pedestrian interactions with the existing cycleway and nearby York Close in order to

identify appropriate level of tactile paving provision. Tactile paving details should be included within the detailed scheme design, to be submitted for a Stage 2 Road Safety Audit prior to construction.”

This requirement to review the tactile paving provision, as indicated in the Stage 1 RSA, has been accepted by the applicant.

In light of the foregoing it is considered that the proposed care home development on this site is unlikely to have any adverse impact on the local road network once completed.

In a highway context I recommend that the following conditions be included if planning approval is to be issued:

1 The proposed development shall not be occupied or brought into use until the access, parking areas and turning area shown on drawing number G4067 (90) 01 D have been laid out, drained and surfaced in accordance with details previously submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any other purpose.

Reason: To provide a satisfactory means of access and to enable vehicles to draw off, park and turn clear of the highway in order to minimise conditions of danger, obstruction and inconvenience to users of the adjoining highway.

2 Before the new access is first brought into use the existing layby shall be removed and any existing 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.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

3 The proposed development shall not be occupied or brought into use until the secondary signal head as shown on Royal HaskoningDHV's drawing no. SK01 has been installed in accordance with details previously submitted to and approved in writing by the Local Planning Authority and brought into use.

Reason: To provide a satisfactory means of access and in the interests of road safety.

4 In the absence of any detailed information submitted with the planning application relating to demolition and construction, no development shall be commenced until a construction method statement has

been submitted to and approved in writing by the local planning authority. The approved statement shall include:

- The hours of construction work and deliveries;
- Parking of vehicles for site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- Wheel washing facilities;
- Construction traffic routes; and
- Details of the responsible person who can be contacted in the event of a complaint.

and all works shall be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the surrounding road network during the construction period.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued:-

1 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 Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049.

2 The applicant is advised that in order to comply with conditions 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.

3 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.

Landscape Officer

There are no landscape objections to this scheme in principle, but at present the site plan provides very limited detail, being mainly restricted to grasses areas and some indicative tree planting.

A detailed planting scheme is required which provides interest and variety for residents but also helps to integrate what is a major development into the urban fabric. The proposal to provide plant beds for residents is welcomed. The proposal may also wish to consider a summerhouse, shelter or conservatory as well as the outdoor sitting areas, as a covered area is known to be valuable in encouraging wider use of outdoor areas.

Trees and shrubbery should be selected to provide a high degree of seasonal interest. Herbaceous areas and allotment planting would be excellent as Biggleswade has a strong history of market gardening and horticulture.

In landscape terms, the indicative landscape treatment for London Road and the northern boundary is not considered an acceptable solution. Grass verges with trees is a strong characteristic of London Road, which is well regarded as a green entrance to the town. The London Road frontage is dominated by the access details and built form - the balance of surfacing to verge and planting needs to be revised to create more visual unity with the street scene to the south.

Limes are the dominant tree - and at least one lime tree should be established at the frontage, but as long as a tree with strong form is used other species would be acceptable where space is more limited.

The northern boundary - retention of the existing fence is proposed. In my view, this development should seek to enhance the local environment by creating a "greener" public path. A fence could be set back closer to the parking line - which would provide scope to plant a hedge with trees to create a more attractive path, with the proposed planting softening the visual impact of the fence.

Within the site, groups of ornamental planting, specimen trees and hedge planting should be used to soften the boundaries and help mitigate the impact of the development for existing residents, particularly those to the east and south.

A more imaginative scheme to provide benefits to the location is required - I would be happy to advise further, but at present I cannot approve the plans as proposed.

Trees

There is little in the manner of significant landscaping for

the site with any existing trees being located offsite of the perimeter, realistically they should be unaffected by the proposals and layout in the current form.

We will require detailed and comprehensive landscape plans to enhance this site in a manner suitable for the new occupants. Details of sizes, species and densities of planting along with a detailed landscape management plan should be conditioned.

Public Art No objection subject to condition

Pollution Control The site is located adjacent to London Road and therefore is subject to a significant amount of noise from traffic. It will therefore be necessary to ensure as with any development that the end users are protected from traffic noise so I recommend the following conditions to ensure that glazing and ventilation requirements are adequate.

In terms of contamination, the recommendations of the Phase 1 and 2 investigations should be implemented by means of a bespoke condition as below.

Ecology The proposal has the potential to deliver net gains for biodiversity on what is a rather ecologically sterile site. The garden space, tree planting and flower beds will provide enhancement opportunities which are welcomed. Pre-app advice is referred to in the Design & Access Statement and yet the use of integrated bird bricks are not apparent in the elevation plans for the scheme. The presence of birds would be a pleasant addition for residents of the development and hence I would recommend that 10 integrated bird bricks to include sparrow terraces and higher swift bricks are incorporated into the built fabric of the building.

Sustainable Growth The submitted Sustainability Statement outlines proposed sustainability measures and standards this care home is to achieve. It is proposed that the scheme will achieve BREEAM very good overall, with water and energy achieving BREEAM credits required for excellent. These standards are in accordance with the policies DM1 and DM2 aims to ensure that the development is water and energy efficient and promotes renewable energy. To ensure that the proposed strategy is implemented, the following condition should be attached to the permission (should it be granted); the care home is to achieve overall BREEAM very good rating, with water and energy credits meeting minimum requirements for excellent rating. This condition to be discharged on submission of BREEAM assessment.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. The appearance of the development
3. The impact on neighbours and future living conditions
4. Traffic and parking
5. Other relevant material planning considerations

Considerations:

1. The Principle of the development

The employment use of the site is not protected and so the loss of the existing car dealership would be acceptable in principle. The applicant has set out that the proposed use could generate 25 full-time and 45 part-time jobs.

The site is located within the Biggleswade Settlement Envelope, where a care home use would be acceptable in principle.

2. The appearance of the development

The existing building at the site does not make a positive contribution to the appearance of the area and its loss would not be resisted.

The proposed building would be much larger than existing buildings around it but given the relative size of the site, it would be of an appropriate scale. It is important that sites are developed efficiently and are not under-developed. The massing of the building would be broken up with variety in the elevations and eaves and ridge heights. Care has been taken to ensure that the London Road street scene would be protected, where the development would be set back from the road and would have a good relationship with existing built form to the north and south of it.

The quality of the design would be high and a meaningful proportion of the site would be given over to landscaping. Materials and final details of hard and soft landscaping would be secured by conditions.

Overall, the appearance of the development would be appropriate.

3. The impact on neighbours and future living conditions

Whilst the building at the site is large, the proposed building would be taller and would have a larger footprint. It would introduce a different relationship with neighbours to the north, east and south than is currently experienced.

The nearest north facing window would be over 18m from the boundary with No 111 London Road. The building would be a single-storey in height where it was nearest to the eastern boundary of the site. The nearest two-storey element would be around 15m from the boundary with rear gardens of Tulip Close. Proposed first floor east facing windows serving a laundry would be obscurely glazed. South facing windows near to the boundary with 117 London Road would be located broadly in line with the rear elevation of that dwelling and would serve a hallway. This would likely result in only very limited overlooking of the rear garden serving that property. West facing bedroom windows in the southeastern section of the building would be located over 19m from the boundary with No's 117 and 119 London Road. A south facing window serving hallway would be around 11.5m away from the boundary with the garden serving No 121 London Road. A condition would require that this hallway

window was obscurely glazed.

These relationships would impact on living conditions for existing residents but not to a significant degree, when taking into account the urban environment within which the site is located. Most people already experience a degree of garden overlooking from their neighbours.

The scale and layout of the building would not result in any significant loss of light or of shadowing for existing residents.

There would be a degree of noise and activity associated with locating the access point at the north of the site and with cars and delivery or service vehicles coming and going and with activity at the site. Given the nature and scale of the proposed use, that would not likely result in a significant harm to existing neighbours – especially in the context of the location of the site, on a busy road.

One resident has raised concerns that the bin store would be too near to their boundary. Subject to the standard of site management that would be expected, that relationship should not be problematic.

The impacts on neighbours would be acceptable.

4. Traffic and parking

The applicant has submitted a Transport Statement which demonstrates that there is sufficient capacity on London Road and the wider network to accommodate the traffic associated with this development. It also demonstrates that the proposed new access would be safe and that there is sufficient capacity within the site to turn large vehicles.

The Council's Design Guide states that 28 car parking spaces should be provided at the site and 24 are proposed. The Transport Statement provides a detailed analysis of movement that would likely be generated by the development, which shows that in most cases, no more than 13 car parking spaces would be in use at any one time. In that context, the provision would be acceptable. A drop-off point and two spaces for disabled drivers would be provided.

The highways impacts of the development would be acceptable.

5. Other relevant material planning considerations

Drainage

A condition would require details of surface water drainage at the site.

Ecology

The Council's Ecologist has requested a condition requiring ecological enhancement at the site and such a condition is recommended, in line with the objectives of the National Planning Policy Framework.

Public Art

The Council's Public Art Officer has requested a condition requiring the

instillation of public art at the site. Given the scale of the development proposed such a condition would not be necessary.

Standard of accommodation

The facility would be privately run and the applicant has set out how their experience of delivering similar schemes has influenced the proposed layout. The internal arrangements appear spacious and the sufficient outdoor amenity would be provided to ensure that the quality of accommodation provided would be appropriately high.

Recommendation:

That Planning Permission is approved subject to the following conditions:

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

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

- 2 **Notwithstanding the submitted information, no development shall commence at the site before details of the following have been submitted to and approved in writing by the Local Planning Authority:**

- **Materials to be used in the external surfaces of the development**
- **Hard and soft landscaping within the site including the timing of its implementation and completion and measures for landscaping replacement where it has been damaged or has died within a period of five years from the date of completion**
- **Boundary treatment**

The development shall be completed in accordance with the approved details.

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

- 3 Notwithstanding the submitted details, the first floor window serving the hallway at the eastern side of the south facing elevation and the first floor windows serving the laundry on the east facing elevation shall be obscurely glazed and non-opening below a height of 1.7m from floor level.

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

- 4 **No development shall commence at the site before details of the proposed method of surface water discharge and the management of flood risk at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in**

accordance with the approved details.

Reason: To ensure that surface water and flood risk are properly managed at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Central Bedfordshire Sustainable Drainage Guidance (CBC, Adopted April 2014 Updated May 2015), the Non-statutory technical standards for sustainable drainage systems (Defra, 2015), and industry best practise such as the SuDS Manual C753 (Ciria, 2016).

- 5 The development shall not be occupied before the access, parking areas and turning area for the site have been provided in accordance with the details shown on drawing number G4067 (90) 01 D. The access, parking areas and turning areas shall thereafter be permanently retained and maintained.

Reason: To provide a satisfactory means of access and to enable vehicles to draw off, park and turn clear of the highway in order to minimise conditions of danger, obstruction and inconvenience to users of the adjoining highway in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 The development shall not be occupied before a secondary signal head has been installed in accordance with the details shown on drawing no. SK01.

Reason: To provide a satisfactory means of access and in the interests of road safety in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 7 **No development shall commence at the site before a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall include:**

- **The hours of construction work and deliveries;**
- **Parking of vehicles for site operatives and visitors;**
- **Loading and unloading of plant and materials;**
- **Storage of plant and materials used in constructing the development;**
- **Wheel washing facilities;**
- **Construction traffic routes; and**
- **Details of the responsible person who can be contacted in the event of a complaint.**

All works shall be undertaken in accordance with the approved details.

Reason: To ensure the safe operation of the surrounding road network during the construction period in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

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

A Supplementary Ground Investigation report adhering to BS 10175 documenting the ground and material conditions of the site with regard

to potential contamination which were not able to be reached by the Listers Phase 1 Investigation, including testing of fuel tank excavations.

The building shall not be occupied before the following has been submitted to and approved in writing by the Local Planning Authority:

Where shown to be necessary by the Supplementary Ground Investigation report 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).

- 9 No development shall commence at the site before a scheme for biodiversity enhancement at the site including the timing of implementation and completion has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure a net-gain in biodiversity at the site in accordance with the objectives of the National Planning Policy Framework (2012).

- 10 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers G4067(90)01D, G4067(01)01D, G4067(01)02D, G4067(01)04, G4067(01)03E, G4067(02)01A, G4067(03)01C, G4067(00)02A, 101/61/2_SLP01, Planning Statement dated February 2017, Design and Access Statement dated February 2017, Ground Investigation Report dated September 2016, Sustainability Statement dated January 2017, Transport Statement dated February 2017, Travel Plan dated February 2017

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 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 Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049.

- 3. The applicant is advised that in order to comply with conditions 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.
- 4. 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.

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

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

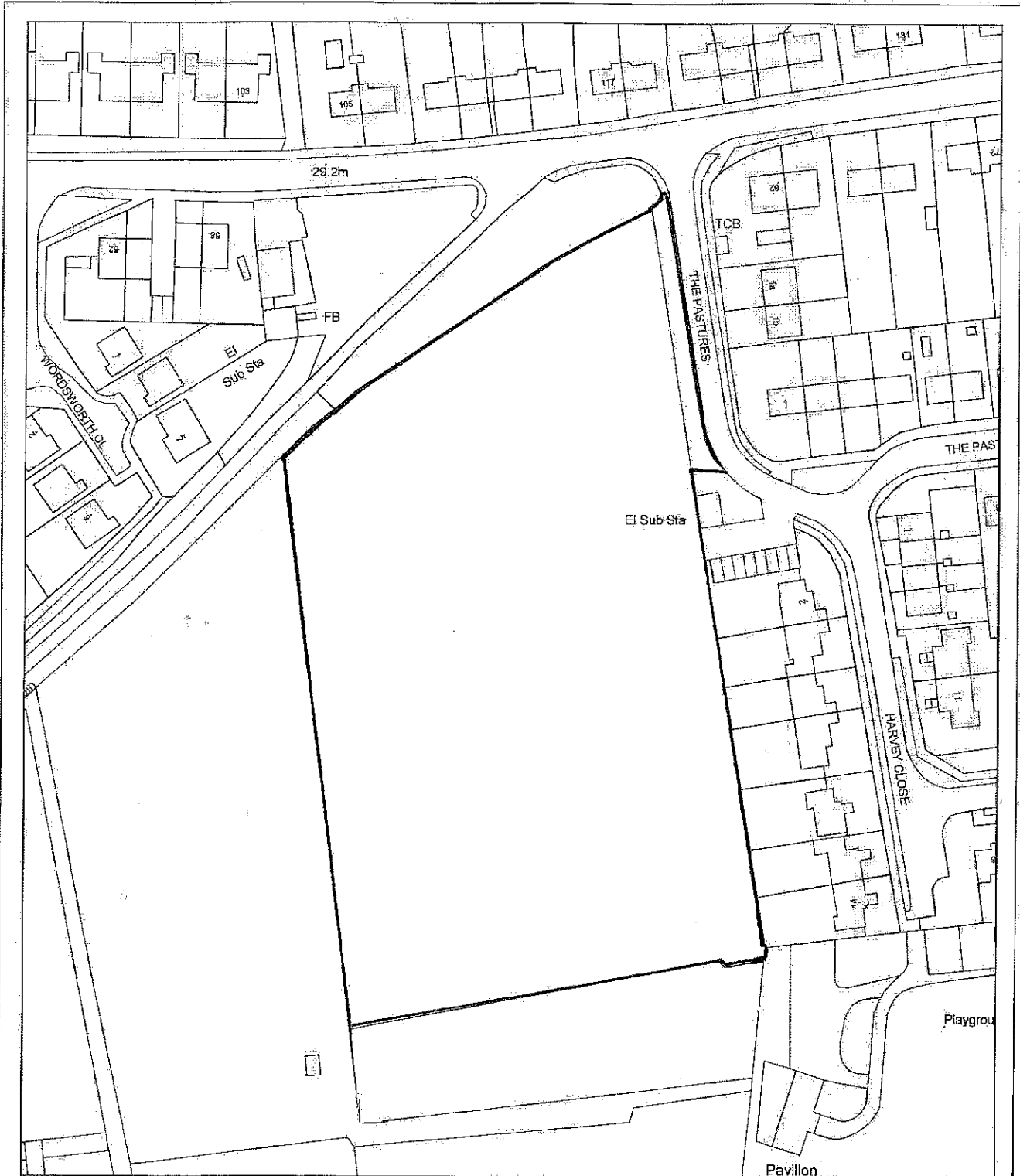
DECISION

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	© Crown Copyright. All rights reserved. Central Bedfordshire Council Licence No. 100049029 (2009)	Application No: CB/16/03283/OUT
	Date: 05:June:2017	
	Map Sheet No	
Scale: 1:1250	Land west of Pastures, Upper Caldecote, Biggleswade, SG18 9BQ	

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Item No. 12

APPLICATION NUMBER CB/16/03283/OUT
LOCATION Land west of Pastures, Upper Caldecote, Biggleswade, SG18 9BQ
PROPOSAL Outline Planning application for the Development of 40 dwellings, including new access, access road, car parking, landscaping and footpath link to adjacent playing fields.
PARISH Northhill
WARD Northhill
WARD COUNCILLORS Cllr Mr Firth
CASE OFFICER Alex Harrison
DATE REGISTERED 03 August 2016
EXPIRY DATE 02 November 2016
APPLICANT William Willoughby (Estates) Ltd and Messrs DW, RG, SP, BJ Maudlin
AGENT AKT Planning+Architecture
REASON FOR COMMITTEE TO DETERMINE Material change to the Council's 5 year housing land supply adds a new material consideration.

Originally

Called in by Cllr Firth on the following grounds:

- The size of the development will increase the size of the village by over 6%.
 - **Will impact upon the current water/sewage systems that cannot cope.**
 - **Concern over speeding traffic**
- 4. Outside of settlement envelope**

The Scheme is a departure from the development plan.

Parish Council objection to a major application

RECOMMENDED DECISION

Outline Application - Granted

Reason for Recommendation

The proposal for 40 dwellings is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document; however the application site is adjacent to the existing settlement boundary of Upper Caldecote which is considered to be a sustainable village location. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be harmful given its relationship to surrounding development already in this area. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014).

Introduction

This application was resolved by Members to approve at the Development Management Committee meeting of 4 January 2017 subject to the completion of a S106 agreement which remains incomplete. On 18 April 2017 the Council published its quarterly housing monitoring statement which concluded that the Council is able to demonstrate a deliverable housing land supply in excess of 5 years (5.88 years). Prior to the April monitoring statement the Council was unable to demonstrate a deliverable 5 year housing land supply and therefore in accordance with the National Planning Policy Framework (NPPF) significant weight was given to the provision of housing proposed through this scheme.

This was the case with this application and the Council's ability to now demonstrate a deliverable 5 year housing land supply means that the weighting and material considerations have materially changed. As a result the previous resolution to grant, through giving significant weight to the provision of housing, is out of date and inaccurate given the current position. Any applications resolved to approve on this basis that have not had a decision therefore need to be reviewed and re-determined against the current material considerations.

This report will therefore assess and make a recommendation on the individual merits of the scheme and any other material considerations to reflect the current housing land supply position.

Site Location:

The application site is an arable land parcel located adjacent to the settlement envelope for Upper Caldecote. For planning purposes the site is located within the open countryside.

The site sits adjacent to existing housing to the eastern boundary. Immediately to the north is an area of amenity land with housing beyond. The southern and western boundaries abut sports pitches and arable land respectively, both of which are also within the open countryside.

The Application:

Outline planning permission is sought for the development of the site to provide 40 dwellings. All matters are reserved aside from access which is proposed as a priority junction arrangement from The Pastures, a residential service road east of the application site.

Since the original application submission an updated indicative layout was submitted to include further footpath links and additional archaeology information was also submitted.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS5 Providing Homes
CS7 Affordable Housing
CS14 High Quality Development
CS16 Landscape and Woodland
DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development Within and Beyond the Settlement Envelopes
DM10 Housing Mix
DM14 Landscape and Woodland
DM15 Biodiversity
DM17 Accessible Greenspaces

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)
Sustainable Drainage Guidance SPD (May 2015)

Relevant Planning History:

None

Consultees:

Northill Parish Council

It was resolved to object to the proposal for the following reasons:

- It is outside the settlement boundary
- Highways safety – it will result in an increase in traffic movement along Biggleswade Road, which vehicles already speed along. The access from the new development onto The Pastures is at a point where there is a sharp bend at the junction of The Pastures and Harvey Close. At times The Pastures is a very busy road as it leads to the playing field which is used for football matches and there are already problems with on street parking causing passing vehicles to have to travel on the wrong side of the carriageway, the increase in volume of traffic will make this problem worse.
- Concerns were raised regarding the capacity of utilities particularly the foul sewer to cope with

additional dwellings

- The intensification of development in this part of the village.
- The layout and density of the dwellings.
- Impact on the infrastructure

Highways

Fundamentally there is no justifiable highway objection to the principle of residential development on this site. The scheme proposes access onto The Pastures, a typical residential estate road and the application is supported by a transport technical note that confirms that the access and surrounding highway network have sufficient capacity to accommodate the likely traffic movements associated with a development of up to 40 dwellings. .

With regard to the access arrangement, whilst I am generally content with the layout shown on the Wormald Burrows plan E3565/700/A I would require that the proposed 2.0m wide footway be extended to the south to form a continuous link with the footway leading from Harveys Close. Further I will require the proposed footpath link onto Water Lane to be extended across the verge to join the metalled carriageway of Water Lane. Both of these issues I suggest could be conditioned for resolution as part of any reserved matters application.

Turning to the indicative layout, whilst I appreciate that the layout is not for consideration as part of this application I would take the opportunity to point out that changes to the highway layout would be required that may impact upon the number or style of dwellings that can be accommodated on the site.

Sustainable
Officer

Drainage

Although we have some concerns, we have no objection to the proposed development and consider that planning permission could be granted subject to condition(s) outlined below.

The ditches on both sides of Water Lane have been culverted over time and the section between Biggleswade Road and the entrance to Water Lane Farm is subject to frequent flooding after periods of heavy rain. Although this flooding does not generally affect the proposed site care should be taken to mitigate against any possible impacts on dwellings and drainage infrastructure.

We would prefer to see surface water from the site discharged through infiltration/soakaways to reduce the impacts on the existing surface water drainage system although we accept this is subject to further on site infiltration testing. Any direct discharge to the adjacent ditch system should be limited to the equivalent

greenfield run off rate or less if attainable.

Internal Drainage Board Had no comments to make

Anglian Water

Section 1 – Assets Affected

- Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary

Section 2 – Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Biggleswade Water Recycling Centre that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

3.1 Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Section 4 – Surface Water Disposal

4.1 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 – Trade Effluent

5.1 Not applicable

Landscape Officer

This site forms an integral part of the arable landscape vale landscape within landscape character area 4B - Lower level Clay Valley. There are open views into the site from the farmland and footpath 20 to the south, but the site also connects with existing development and the village playing fields.

I do not object in terms of loss of landscape character but do have concerns regarding visual impact as seen from

Waterlane Farm and from the public rights of way. I have the following comments on the design :

It will be extremely important in terms of landscape quality, within the village, to safeguard the rural character of Water Lane, including the wide swathe at the entrance. I would like to see properties 6, 7 and 11 set further back into the site to allow for increased tree planting and mitigation. In addition, more of these properties could gain from overlooking this attractive area.

The landscape proposals should seek to reinforce the existing native hedging but should also allow for the removal and replacement of evergreen ornamentals such as the cherry laurel. Stock of locally native origin is preferred but also trees which will be resilient to drought. I would like a greater depth of planting on the southern boundary.

The internal landscaping should also try to reflect the village setting and avoid the use of frequently used, highly suburban landscape choices such as Photinia for hedging or trees with purple or variegated leaves.

Green Infrastructure

The current proposals as indicated in the indicative master plan would not clearly deliver this gain, so changes should be required by condition in order to make the proposal acceptable.

The proposal does not appear to include any public open space. The scheme should deliver open space in accordance with the standards set out in CBC's Leisure Strategy. This public open space should be located to complement either the open space at Water Lane, or the recreation area to the south of the site. The inclusion of appropriate levels and locations of public open space must be delivered in order to make the proposal acceptable.

A key feature for the site in green infrastructure terms is the frontage to Water Lane, where there is an existing open space / extended verge, with grass, trees and an existing hedgerow. The development should be designed to complement this existing space. The current proposal shows properties with a rear or side aspect to this space, which would have a negative visual and amenity impact. The layout should be reconfigured to have a positive relationship with this space, with properties facing Water Lane and this space.

The link to the recreation area through the site is positive. Guidance is available in CBC's design guide about integrating access routes through development.

The proposals for drainage indicate a SuDS pond. The integration of this pond within the design of the scheme is poor - it is not clearly in the public open space, or fronted onto by properties. As suggested above, the Water Lane frontage in its entirety should be redesigned, and this pond should be designed positively into the public realm, as a public open space, and fronted onto by homes.

The drainage should not rely solely on a pond at the edge of the scheme; sustainable drainage should be integrated within the scheme, and be in line with the design guidance and local requirements for SuDS set out in CBC's adopted Sustainable Drainage SPD. As suggested by Flood Risk colleagues, drainage conditions should be imposed, and these should include the requirements for the site to include SuDS that comply with the SPD.

Ecologist

Having looked at the submitted documents I would have no objection to the proposals but note from the layout that no public open space has been included. The NPPF calls for development to deliver a net gain for biodiversity and yet the ecological report states on its opening page that *'there will be little opportunity for new habitat creation or enhancement'* this is very disappointing. The inclusion of integrated bird and bat bricks are opportunities which should be adopted at a 1 per unit ratio and the attenuation pond should be planted with locally native wetland species. To ensure these features deliver a net gain and that the necessary precautionary construction procedures are followed I would ask that a condition is added.

Trees and Landscape

Site is currently arable land with boundary hedgelines and some scattered trees. It would seem that the intention will be to retain these features. We will require an Arboricultural Impact Assessment identifying all tree and hedgerow features both on and off site that could be affected by the proposals. Details of how they will be retained and protected throughout the development will be required.

Full and detailed landscape and boundary treatment details will be required which will emphasise native tree planting and enhancements of existing boundaries.

CPRE

Provided extensive comments which are summarised as follows:

- a. Unacceptable impact in relation to important open space to the north and the recreation ground to the south.
- b. Does not comply with the aims of the Northhill Neighbourhood Plan and granting would

undermine the process as the site is premature.

- c. Existing policies are in line with the NPPF and the housing land supply has been broadly addressed. DM4 should be afforded weight.
- d. Site does not meet any strand of sustainable development as set out in the NPPF. Development fails the environmental strand, does not show how other means of transport can serve the development, no CIL to provide economic sustainability.

Housing Officer Development

I support this application as it provides for 14 affordable homes which reflects the current affordable housing policy requirement of 35%. The supporting documentation however does not indicate the proposed tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) indicates the tenure requirement as being 73% rent and 27% intermediate tenure from sites meeting the affordable threshold. This would make a requirement of 10 units of affordable rent and 4 units of intermediate tenure (shared ownership) from this proposed development.

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

The proposed development site is located within an extensive cropmark complex (HER 9093) and within the historic core of the village of Upper Caldecote (HER 17082). These are heritage assets with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*.

The cropmark complex (HER 9093) extends southwards for more than a kilometre and contains a range of sites and features. Archaeological investigations in advance of quarrying at Broom Quarry to the south and its eastwards extension showed that these cropmarks did contain a number of features that belonged to geological features. However, they also included the remains of an extensive archaeological landscape containing substantial evidence of settlement, funerary and ritual sites and features and systems of land division dating from the Neolithic to the medieval periods (Cooper and Edmonds 2007 and HER 9095). Some of the sites had high quality preservation of deposits including some with waterlogging, there was also a very rare “C-shaped” monument dating to the Bronze Age. It has been suggested that the rarity and preservation of some of the sites investigated at Broom Quarry might have been sufficient significance (i.e. national importance equivalent to a Scheduled Monument) to merit preservation *in situ* (Firth and Oake 2011, 259). An aerial photograph of the proposed development site (TL1745/1/6) contains a large number of features some of which, on the basis of the investigations carried out elsewhere within HER 9093 and at other related locations, will be of geological origin but others will represent archaeological and have the potential to be sites that may be of such significance that they require preservation *in situ*.

The village of Upper Caldecote (HER 17129) is in an area known to have been settled by the *Giffla* tribe in the early Saxon period and archaeological remains of early to middle Saxon occupation have been found in the surrounding area (Cooper and Edmonds 2007). The first documented reference to Caldecote is in the 12th century and is likely to refer to the present settlement that developed around the village green, although its origins are likely to be earlier than that. The settlement continued to develop and change throughout the medieval and post-medieval periods. Elsewhere in the Ivel Valley locations on the edge of present village cores, such as the proposed development site, have been shown to contain the remains of Saxon and early medieval settlement e.g. Stotfold (HERs 74, 16829 and 19534), Langford (HERs 17135 and 19481) and Henlow (HER 19887 and EBD 718).

The site is within an area of cropmarks that has been shown to contain well preserved remains of occupation and other activity dating from the Neolithic to medieval periods; it is also within the historic settlement core of Upper Caldecote. Paragraph 128 of the *NPPF* states the following regarding applications that have the potential to affect heritage assets:

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

In this case, given the cropmark evidence from the proposed development site and its potential to contain well preserved archaeological remains a Heritage Statement incorporating the results of an archaeological field evaluation comprising at least a geophysical survey/air photograph analysis and trial trenching is required to provide the appropriate level of information. The application does include a *Desk-Based Assessment* (Heritage Planning Services 2016) but not the results of an archaeological field evaluation.

The *Desk-Based Assessment* states that the proposed development site as having high archaeological potential (8.1), but it does not specifically discuss air photograph TL1745/1/6 which is specifically relevant to the site. The *Assessment* goes on to identify groundworks associated with the development of the site as having the potential to damage archaeological remains at the site (8.2). It also suggests that the site should be subject to a phased programme of archaeological investigation "beginning with a programme trench evaluation"; though it is not clear whether this investigation should be done pre-determination or post planning consent.

Although the site has clear archaeological potential, the submitted *Desk-Based Assessment* only identifies that potential in the general sense in that it is likely to contain archaeological remains. It does not provide any characterisation of the archaeological resource and

appears to assume that any development impact on archaeological remains can be mitigated by investigation and recording. This is not a safe assumption. The cropmark complex HER 9093 and its associated archaeological landscape have been shown to contain sites and monuments that are potentially of sufficient significance to merit preservation *in situ* because of their national importance in line with paragraph 139 of the *NPPF* which says that non designated heritage assets of equivalent significance to Scheduled Monuments should be subject to the same policy as designated heritage assets. The proposed development site has the potential to contain remains of this quality. Without the evidence from a field evaluation it is not possible to characterise the archaeological resources of the site or define their significance. It is not appropriate to undertake the field evaluation as part of a post planning consent scheme of investigation secured by a condition on an outline consent because the principle of development has already been established and it would not be possible to protect significant archaeological remains *in situ*.

On the basis of the submitted desk-based assessment it is not possible to assess the impact of the proposed development on a site of acknowledged archaeological potential. An archaeological field evaluation is required to provide the appropriate level of information. The applicant should be asked to commission an archaeological field evaluation as soon as possible. It may be worthwhile for the applicant to withdraw the application until the archaeological evaluation has been completed and resubmitting the application when the evaluation report is available.

If the required information from an archaeological field evaluation is not forthcoming this application should be refused on the grounds that insufficient information on the archaeology of the site has been made available to enable the impact of the proposal on the significance of heritage assets with archaeological interest contrary to paragraph 128 of the *National Planning Policy Framework*.

Following the submission of additional information:

The evaluation comprised the excavation of seven trial trenches distributed across the site with some of the trenches located to investigate potential archaeological features identified from aerial photographs. Archaeological features were identified in the trenches in the western part of the site (Trenches 3, 4 and 7) including both pits and linear features. Although dating evidence recovered from these features was limited,

pottery suggests that they are likely to be of medieval (12th-13th century AD) in date. It is also suggested that one of the undated features may be prehistoric in origin.

The northern part of the proposed development site is known to be within the identified historic core of the settlement of Upper Caldecote (HER 17192) and the evaluation report suggests that the archaeological features identified in the trial trenches are likely to relate to this heritage asset with archaeological interest. If any of the features are prehistoric in date they are likely to belong to the wider archaeological landscape known from aerial photographs and archaeological investigation to the south (HER 9093).

The proposed development site contains archaeological remains that are likely to relate to the historic settlement of Upper Caldecote and possibly also prehistoric remains. The investigation of rural Saxon and medieval settlements to examine diversity, characterise settlement forms and understand how they appear, grow, shift and disappear is a local and regional archaeological research objective (Wade 2000, 24-25, Oake 2007, 14 and Medlycott 2011, 70). Paragraph 141 of the *NPPF* states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible (CLG 2012).

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

Pollution Team

Had no comments to make

Waste Officer

We would like a condition to be included for the developer to provide adequate funds for the provision of all bins.

The Council's waste collection pattern for Upper Caldecote is:

- Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy
- Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are £25 + VAT per 240 litre bin and £5+VAT per set of food waste bins.

Vehicle tracking information will be required to demonstrate our collection vehicles can access the development; the minimum measurements that should be used are detailed below. Parked cars also need to be taken into account to ensure access for our collection vehicles is not blocked.

If there are private roads on the development or road ways that are too small for our vehicles to safely access (and exit in forward gear), bin collection points will need to be provided (at entrance to adopted highway), for example this may be the case for plots 10, 11 and 12. The developer will need to demonstrate the bin collection points are sufficiently sized to hold at least two bins per property on collection day. Residents would not be expected to pull their bins further than 25m to a bin collection point.

Sustainable
Officer

Growth

The proposed development should comply with the requirements of the development management policies: DM1: Renewable Energy; DM2: Sustainable Construction of New Buildings; and Core Strategy policy CS13: Climate Change.

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

Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources. In terms of water efficiency, the development should achieve 110 litres per person per day as this is the closest standard to the Level 3 of the CfSH.

Policy CS13 requires that all development takes into account climate change and its impacts on the development. The development therefore should be designed with climate change in mind taking account of increase in rainfall and temperature. The development should minimise hard standing surfaces and increase green, natural areas to allow rainwater infiltration and minimise heat island effect through evaporation and tree shading. Light colour building and landscaping materials should be prioritised over dark coloured which absorb more sun light and retain heat increasing urban heat island effect.

The Design and Access Statement proposes that the dwellings will meet renewable energy policy requirement through installation of solar panels, but this will be confirmed later at detailed design stage and details will be submitted at the Reserved Matters stage. The Statement does not provide information on proposed water and energy efficiency standards or climate change measures.

I would like more information on how policies' requirements will be met to be submitted with the full planning application. The information should cover: energy and water efficiency, renewable energy contribution, climate change adaptation measures to minimise risk of overheating in dwellings and proposed ventilation strategy.

Should permission be granted for this development I would expect the following conditions to be attached to ensure that policies CS13, DM1 and DM2 requirements are met:

- 10% energy demand of the development to be delivered from renewable or low carbon sources;
- Water efficiency to achieve water standard of 110 litres per person per day;
- Development to include climate change adaptation measures to minimise risk of overheating.

Leisure Officer

There are no Leisure contributions sought from this application

Other Representations:

Neighbours

57 letters have been received:

49 are made either in objection (39) or raising comments (10) highlighting the following planning issues:

- Development is outside of the settlement envelope and is out of character with the area, making it

more urbanised. Development is too dense.

- Harmful impact on open space to the north of the site.
- Upper Caldecote does not have the infrastructure or services to accommodate the growth proposed.
- Traffic on Biggleswade road already high and the proposal would generate high numbers of vehicles. Causing problems at times such as school drop off and pick up.
- The proposed access is unsafe and development will increase speeding in the village. Traffic calming measures should be installed.
- Under provision of parking proposed.
- The number of dwellings is too high and should be nearer 20. Proposal would expand the village by 9% and cannot be considered small scale.
- There are other available sites on the outskirts of the village that would have a lesser impact.
- Development is contrary to the Northill Neighbourhood Plan
- There have been instances of flooding in the village. The water supply, drainage and sewerage infrastructure is inadequate.
- Unacceptable amenity impact on properties on Harvey Close.
- Concern over the removal of existing landscape features on the site.

8 letters of support received raising the following planning points:

- Within the village boundary
- Flooding instances were between 20 and 25 yrs ago
- Traffic problems are non-existent
- Will enhance The Pastures with good mix and size of housing.
- Village needs housing if it is to thrive including affordable.
- Hope to result in associated expansion of amenities and infrastructure.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations
6. Whether the scheme amounts to sustainable development
7. The Planning Balance

Considerations

1. Principle of Development.

- 1.1 The application site is an undeveloped parcel of arable land and is overgrown. The site is considered to have a relationship with existing built form to the immediate east and north. The site lies outside of the settlement envelope of Upper Caldecote which is designated as a large village and CSDMP policy DM4 limits the extent of development allowed within and outside of settlement envelopes. The policy does not allow for new development in the open countryside and therefore the proposal is contrary to this policy.
- 1.2 At the time of writing the Council is able to demonstrate a five year supply of housing land in excess of the 5 year requirement. Therefore paragraph 49 of the NPPF is no longer engaged to require that policies for the supply of housing should be considered out of date, and these policies can be given weight in decision making. Proposals should still be considered in the context of the presumption in favour of sustainable development. It is considered that Members are able to give significant weight of Policy DM4. Full weight cannot be given as DM4 is silent on the matter of exceptions where residential development in the open countryside is considered acceptable. This is outlined in para 55 of the NPPF. The application proposal does not form one of these exceptions.
- 1.3 Sustainability
Concern has been raised regarding the sustainability of the proposal. Upper Caldecote is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various facilities in the village including a shop north of the site, a pub, lower school, Church, community facilities. There is also a bus service through the village and therefore Upper Caldecote is, on balance, considered to be a sustainable location in planning terms.
- 1.4 Settlements that are classified as Large Villages are considered to be able to accommodate small scale housing and employment uses together with new facilities to serve the village. Policy DM4 requires such development to be within the defined settlement envelope. Although small scale development is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. The scale of this proposal is considered to be reflective of the scale of development of the area, namely The Pastures, east of the site. Furthermore, while it is acknowledged to be outside of the settlement envelope the site is considered to read as a natural extension to the village and would not sit isolated from the settlement itself.
- 1.5 Although it is acknowledged that the development is contrary to policy DM4 it is also considered that the individual merits of this site and its relationship to the existing settlement are such that the loss of open countryside in this instance is not considered to result in a significantly adverse impact on the character and appearance of the area. The extent of the application site and the scale of development proposed are such that the proposal reads as a modest extension to the settlement that abuts it on two sides.
- 1.6 Some weight can also be given to the benefit of the site providing additional housing to the Council's housing land supply. This weight should be limited as

the intention to deliver homes over a five year period is not a significant benefit that would outweigh adopted development plan policies. However the applicant has confirmed that they are still willing to commit to a legal obligation that would confirm the extent of deliverability of the development on the site within a five year period to show how it would contribute to the Council's housing land supply.

- 1.7 It is therefore considered that while the proposal is directly contrary to policy DM4 the loss of open countryside and impact on the character of the area is in this instance not significantly harmful. The site reads as a natural and modest extension to the village and it is considered to be of a scale that can be accommodated as an extension to the settlement. Therefore it is considered that the scheme can be considered acceptable in principle as an exception to policy DM4. Additional material planning considerations may contribute towards the benefits and the dis-benefits of the development and can impact of the final planning balance. These are considered in the report below.

2. Affect on the Character and Appearance of the Area

- 2.1 Development of the site will increase the built form in the area. Development results in a loss of open countryside and this is considered to be an adverse impact.
- 2.2 With regards to the residential scheme, detailed design considerations will be left for any subsequent reserved matters layout. An indicative layout was submitted with the application which shows a development of mixed dwelling types within the site. Little weight is given to this layout with this outline application but it does indicate that the site could accommodate the quantum of development proposed. Any reserved matters proposed would expect to provide a high quality development that is designed in accordance with the Council's adopted design guide and this would likely affect the indicative layout as garden and parking standards are taken account of.
- 2.3 Views from the south towards the site are mitigated against with the inclusion of strong landscaping on the southern boundary of the residential scheme. This would reduce the impact on the character of the area and can be secured through condition. The Landscape Officer does not object to the application but stresses the importance of preserving the rural character from public realm viewpoints. Stronger planting on the southern boundary will help to achieve this and a more robust planting screen will be expected at the northern boundary. These can both be secured as part of reserved matters and are achievable in principle. While it is acknowledged that there would be a permanent impact on the character of the area and the landscaped, it is considered to be acceptable in this instance.
- 2.4 On the basis of the considerations made above the scheme is considered to not adversely harm the character and appearance of the area in spite of a loss of open countryside. Furthermore the indicative layout suggests that a development of 40 units on the site could be accommodated if greater provision for boundary planting were provided. The proposal is therefore considered acceptable in light of the policies of the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009.

3. Neighbouring Amenity

- 3.1 The site does not adjoin any residential curtilages on either its northern, southern or western boundaries and there would be no amenity impact in these directions as a result. To the east the site abuts The Pastures, a relatively modern housing development which leads to a number of cul-de-sacs and the recreation ground to the south. There are a number of dwellings on Harvey Close that will back onto the site with a number to the north of these looking onto the application site on the other side of the road. Detailed design considerations are a reserved matter and this makes it difficult to ascertain specific impacts on neighbouring properties. It is considered that any subsequent reserved matters application would design a scheme that takes account of neighbouring properties to ensure there would be no harmful impact to existing residents.
- 3.2 Taking account of the indicative layout submitted it is considered that a scheme could be achieved in principle that would not have a detrimental impact on neighbouring amenity although there are concerns over the closeness of plot 26 to the rear boundary of 12 Harvey Close and the closeness of plot 32 to Nos 2 and 4 Harvey Close but these can be addressed through a reserved matters application.
- 3.3 In terms of providing a suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents.

4. Highway Considerations

- 4.1 The Highway Officer has considered the scheme and raised no objection to the application. The access arrangement is such that it utilises an existing access from Biggleswade Road, accessing from an existing housing development. The nature of the road at The Pastures is such that it is considered to be able to accommodate the additional traffic movements generated from this scheme and this is the case for the roads in the wider village area.
- 4.2 In terms of parking the residential scheme will be required to meet the design guide parking standards for both residents and visitors but this is a design detail that would be considered at reserved matters stage. The indicative layout indicates that suitable parking arrangements can be achieved.
- 4.3 In terms of integrating with the existing settlement the indicative layout plan was updated to show the inclusion of a footpath link to the north of the site and also on both sides of the access road from the pastures. This is in addition to the southern link originally proposed. The new links are within highway land and therefore are achievable and can be secured through S106 agreement. The development is therefore considered to provide good connecting links for the site to the village.
- 4.4 The indicative layout shows the access road terminating at the southern end

with no physical end point. The possibility of extending this road beyond the application site is not a matter that can be given significant weight as it is not an intention of this application. However it is noted as a concern and reserved matters proposals would be expected to propose development that includes termination points at highway ends in accordance with the Design Guide.

- 4.5 As a result there are no objections on the grounds of highway safety and convenience.

5. Other Considerations

5.1 Drainage

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

5.2 Ecology

Objections have been received relating to the impact on wildlife. The application included an Ecological Survey and this has been considered by the Council Ecologist and no objection has been raised subject to a condition. The Ecologist has opined that a requirement for bat and bird boxes and appropriate planting will help to provide a net gain in biodiversity and this is considered a reasonable requirement for the applicant to meet in this instance.

5.3 Neighbourhood Plan

Objection was received on the grounds that the Proposal is contrary to the Northhill Parish Neighbourhood Plan which sees, among other things to limit housing development to no more than 10 units. This is acknowledged however it is understood that the plan is not in draft form as yet and the website for the plan states only that it is under preparation. Therefore the neighbourhood planning process is very much in its infancy. As a result little weight is given to this concern. As the plan progresses greater weight can be applied to it as a material consideration but the intention cannot be used as a reason to delay the determination of development proposals submitted to the Council.

5.4 S106 agreement

Spending Officers were consulted and comments returned from Education and Leisure. The following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.

Education:

Early Years – £27,652.80

Lower school - £92,176.00

Middle School - £92,751.36

Upper School - £113,737.73

To help with the connectivity of the site and its relationship to the existing village an obligation will be included to provide the previously mentioned new footpath

links adjacent to the site.

Timetable for delivery of housing:

In order to demonstrate that the development will contribute houses towards the Council's 5 year land supply the applicant has agreed to include a clause requiring the applicant/developer to submit a timetable for the delivery of the houses which will be agreed with the Council.

6. Whether the scheme is Sustainable Development

6.1 Although the Council has determined that it is able to demonstrate a deliverable 5 year housing land supply Paragraph 14 of the NPPF still applies and states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

1. *approving development proposals that accord with the development plan without delay; and*
2. *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 3. *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*
 4. *specific policies in this Framework indicate development should be restricted*

The wording of policy DM4 limiting residential development to small schemes within the settlement envelope should be given weight as the Council's housing land supply position is such that this policy is no longer considered out of date. This has been considered and in this instance the scale of development and its relationship with the existing settlement are such that although it is contrary to this policy the impact is not significant and demonstrable to the extent that harm outweighs the benefits.

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

6.3 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. However the impact is not considered to be of such significance that it would warrant a reason to refuse planning permission. It will sit adjacent to existing residential properties and while materially altering the character of the area will not appear isolated, relating well to the existing settlement and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant and demonstrable harm.

6.4 Social

The provision of housing is a benefit to the scheme which can be given some weight. As is the provision of affordable housing.

The site is close to an existing bus route and the village is well served by

existing footways making the site accessible to the village core. The accessibility from the site is improved through the provision of footpath links to the north, east and south. The report has detailed that Upper Caldecote is regarded as a sustainable settlement and it is considered that it offers the services and facilities that can accommodate the growth from this scheme.

6.5 Economic

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

7. **Planning balance.**

- 7.1 In this case, the provision of housing and the provision of policy compliant affordable housing units would be a significant benefit by contributing to strengthening the 5 year housing land supply. The site is considered to relate to the existing settlement and represents a sympathetic extension to the village. The loss of open countryside is considered to be an adverse impact but not one that is of significance. It is considered that the benefits are considered to outweigh the adverse impact on the character of the area that would occur from developing land in the open countryside. In light of the comments made above it is considered even though the development is contrary to policy DM4 of the Core Strategy and Development Management Policies 2009 the individual merits of this scheme are such that the proposal can be regarded as sustainable development in the eyes of the NPPF and no significant and demonstrable impacts have been identified. As such the application is recommended for approval.

Recommendation:

That Planning Permission be Granted subject to the completion of a S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

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

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

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

Reason: To comply with Article 3 of the Town and Country Planning

(Development Management Procedure) Order 2015 (as amended)

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

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

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

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

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

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

- 6 **No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 5 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 5.**

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

- 7 **No development shall take place until a detailed surface water drainage scheme for the site including a management and maintenance plan has been submitted to and approved in writing by the Local Planning**

Authority. The scheme design shall be based on sustainable drainage principles in accordance with the Council's Sustainable Drainage SPD and an assessment of the hydrological and hydrogeological context of the development. The scheme shall be implemented in accordance with the approved details and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance.

- 8 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

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

- 9 **No development shall take place (including ground works or site clearance) until a method statement for the creation of new wildlife features such as hibernacula and the erection of bird/bat boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:**

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;

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

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

- 10 **The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in accordance with the approved scheme.**

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

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

Reason: 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* 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.

- 12 Any subsequent reserved matters application shall include the following;

- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
- Pedestrian and cycle linkages to existing routes including to Harvey Close and Water Lane
- Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
- Cycle parking and storage in accordance with the council's standards applicable at the time of submission.
- A Construction Traffic Management Plan detailing access arrangements for construction vehicles, routing of construction vehicles, on-site parking and loading and unloading areas.
- Materials Storage Areas.
- Wheel cleaning arrangements.
- A Residential Travel Plan.

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

- 13 **Prior to commencement of development full engineering details of the access arrangement and off-site highway works shown for planning purposes on Wormald Burrows Partnership plan E3565/700/A dated 20/06/16 shall be submitted to and approved by the Local Planning Authority and no dwelling approved under any subsequent reserved matters application shall be brought into use until such time as the agreed works have been implemented.**

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway

safety

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers E3565/700/B, CBC/001.

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. AN1/. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

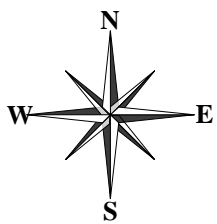
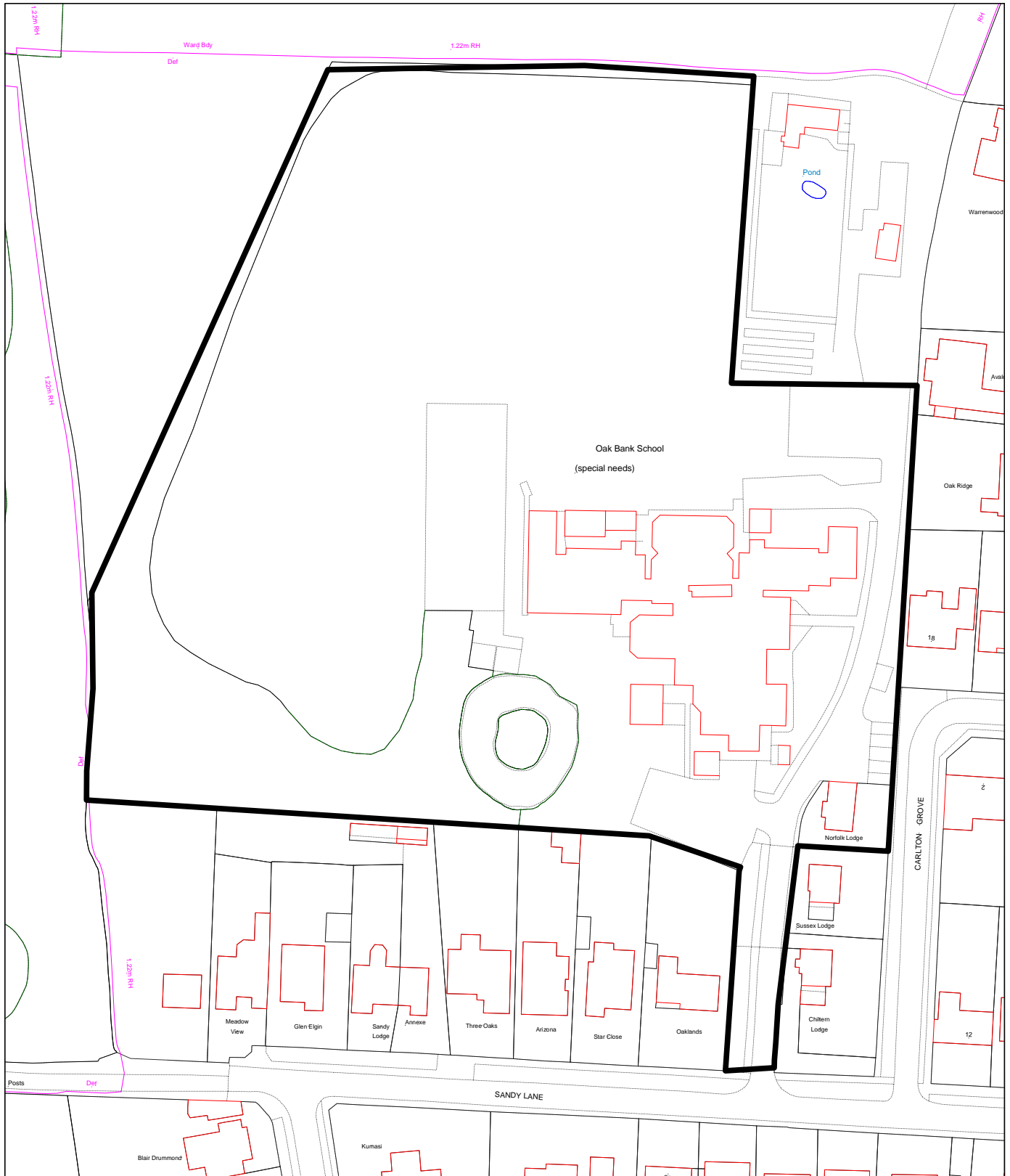
AN2/. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

AN3/. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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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.....



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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 02:June:2017
Grid Ref: 492222; 227374

Application No.
CB/17/01089/FULL

Scale: 1:1250

Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE

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Item No. 13

APPLICATION NUMBER	CB/17/01089/FULL
LOCATION	Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE
PROPOSAL	Proposed Multi-Use Hall with covered linkway and associated siteworks
PARISH	Leighton-Linslade
WARD	Leighton Buzzard North
WARD COUNCILLORS	Cllrs Johnstone, Spurr & Ferguson
CASE OFFICER	Nicola Darcy
DATE REGISTERED	07 March 2017
EXPIRY DATE	02 May 2017
APPLICANT	Oak Bank School
AGENT	HPA Architecture Ltd
REASON FOR COMMITTEE TO DETERMINE	Council owned land with neighbour objections that cannot be overcome by conditions.
RECOMMENDED DECISION	Full Application – Recommended for Approval

Summary of Recommendation

The National Planning Policy Framework states that the Government attaches great importance to ensuring that Local Planning Authorities should take a proactive, positive and collaborative approach to widen choice in education. There have been no significant changes to policy since the previously approved scheme and it is considered that the proposed development conforms with Policy BE8 of the South Bedfordshire Local Plan Review and Sections 4, 7, 9 & 11 of the National Planning Policy Framework.

Site Location:

The school and its grounds occupy an area of some 2.6 hectares. The existing buildings are positioned in the southeast part of the site. The existing buildings are typically two storeys in height, and are generally constructed in brick with cladding at the upper levels. The buildings include variation within the roof form, with a number of mono-pitched roofs.

The site gains vehicular access off Sandy Lane, and currently includes existing parking provision for approximately 34 cars, positioned to the south of the buildings.

The associated playing fields are positioned to the west. These include tennis courts and a basketball court within an area of fenced hardstanding, occupying an area immediately to the west of the buildings. In addition, there are various areas of informal play equipment and open grass pitches. An allotment and school farm area lies to the north-east of the school buildings.

The school lies within the Green Belt and the school grounds abut an Area of Great Landscape Value.

The Application:

The proposed development comprises the erection of a new multi-purpose hall. The proposed building would have a gross footprint of approximately 373sqm and would accommodate the following:

- Two badminton courts;
- Gym;
- Changing facilities;
- Store; and
- Plant room

The proposed hall would be positioned to the west of the existing school buildings, largely occupying the existing area of hardstanding that currently accommodates the outside tennis courts. This sits at a raised ground level, approximately 1.2m higher than the adjacent school buildings.

The proposed building would be constructed in a mixture of blockwork with elements of metal cladding on the elevations. The design features a mono-pitched roof form, with a ridge of 10m at its highest point to the east (facing the existing school buildings), reducing to 8m to the west. The roof would be finished in grey metal cladding.

RELEVANT POLICIES:

National Policies

National Planning Policy Framework

Section 4 - Promoting Sustainable Development

Section 7 - Requiring Good Design

Section 9 - Protecting Green Belt Land

Section 11 - Conserving and Enhancing the Natural Environment

South Bedfordshire Local Plan Review Policies

NE3 - Control of development in Areas of Great Landscape Value.

BE8 - Design and environmental considerations.

T10 - Car Parking in New Developments

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that the above policies NE3 and BE8 are broadly consistent with the Framework and significant weight should be attached to them. Less weight is afforded to Policy T10.

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the

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

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Case Reference	CB/14/04279/FULL
Location	Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE
Proposal	Single Storey 4 Classroom Block Extension
Decision	Full Application - Granted
Decision Date	23/12/2014

Case Reference	CB/12/04081/REG3
Location	Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE
Proposal	Installation of extract & ventilation system to the existing school
Decision	Full Application - Granted
Decision Date	14/01/2013

Case Reference	CB/12/02073/REN
Location	Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE
Proposal	Renewal of Planning Permission: Erection of sports hall and construction of replacement tennis courts and new/altered footway links.(Application 09/5225)
Decision	Rep PP - New Time Limit - Granted
Decision Date	02/08/2012

Case Reference	CB/10/04244/REG3
Location	Oak Bank School, Sandy Lane, Heath And Reach, Leighton Buzzard, LU7 3BE
Proposal	Erection of single storey classroom extension
Decision	Regulation 3 - Granted
Decision Date	21/01/2011

Case Reference	CB/09/05225/REG3
Location	Oak Bank School, Sandy Lane, Leighton Buzzard, LU7 3BE
Proposal	Erection of sports hall and construction of replacement tennis courts and new/altered footway links.
Decision	Regulation 3 - Granted
Decision Date	27/08/2009

Consultees:

Leighton-Linslade Town Council No objection.

Highways The application proposes the erection of a Multi-Use Hall at Oak Bank School.

No changes are proposed to the existing means of access to the highway and the proposals do not impact upon the level of the available car parking on the site.

The development proposal was subject to pre-application consultation and was found to be acceptable in highway terms. A request was made to update the School Travel Plan to reflect the addition of proposed facility and this has now been done. It is suggested that colleagues in Transport Strategy be asked to review the new document if they have not already done so.

Following the round of public consultation, the applicant has determined that the proposed building will not be made available for use by the wider community. This is confirmed in Paragraph 6.10 of the planning, design & access statement.

In such circumstances the proposed development is unlikely to give rise to any changes in traffic movements to/from the site or to an increase in parking demand and hence is unlikely to have any adverse impact, once completed.

Therefore in a highway context I confirm that there should not be a restriction to the granting of permission to the above planning application.

Trees and Landscape
Officer

I have examined the plans and documents associated with this application, with particular reference to the "Landscape Planting Plan" prepared by LaDellWood Drawing No. 2463/17/B/1 dated January 2017, and the "Arboricultural Impact Assessment and Arboricultural Method Statement" prepared by Ecus Environmental Consultants dated February 2017.

I can advise you that I am satisfied that the landscape provision and arboricultural implications have been adequately addressed, and therefore have no objection to the application on the provision that the following conditions are imposed:-

Prior to development, all tree protection barrier fencing shall be erected in strict accordance with the "Arboricultural Method Statement," which is included in Section 3 of the "Arboricultural Impact Assessment and Arboricultural Method Statement" as prepared by Ecus Environmental Consultants dated February 2017, and in the positions indicated in Appendix 1 "Tree Protection Plan" (Drawing No. L9422/01). The tree protection barrier fencing shall then remain securely in position throughout

the entire course of development.

REASON

To ensure the protection of the rooting system and canopy spread of retained trees in order to maintain tree health, stability and amenity value.

Throughout the course of development, all management practices shall be carried out in strict accordance with Section 4 "Tree Management" of the "Arboricultural Impact Assessment and Arboricultural Method Statement" prepared by Ecus Environmental Consultants dated February 2017.

REASON

To ensure that all development activity and practices avoids damage to retained trees, in order to maintain their health, stability and amenity value.

During the first planting season (November to March) following completion of development, all landscape planting and aftercare shall be carried out in strict compliance with the "Landscape Planting Plan" (including planting notes) as prepared by LaDellWood (Drawing No. 2463/17/B/1, dated January 2017). The landscape planting shall then be satisfactorily maintained for a period of 5 years following completion of initial planting, with any losses replaced in accordance with the approved planting plan and planting notes.

REASON

To ensure a satisfactory standard of landscape planting, aftercare and establishment, in the interests of providing visual amenity.

Pollution Officer

I write with respect to the above application and ask the following conditions are included:

The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a level 5dB(A) below the existing background sound levels at any sound sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

To protect the amenities of nearby residents and comply with policies

Landscape Officer

The advice provided by the CBC Green Infrastructure Officer is highly relevant especially regarding the Greensand NIA.

The opportunity to include locally indigenous planting in a more imaginative landscape design should be explored further especially given this is a school. Local character, seasonal interest could be encompassed in interesting mixes to encourage participation in the school landscape - and enhance views from the buildings.

It is surprising that there is no access shown to encourage use and enjoyment of the school grounds or at least part of.

The school's landscape could be really exciting with art features, temporary and permanent, included as focal points. Activities such as tree dressing encourages engagement in communities and landscapes. Fruit trees, fruit bushes and growing vegetable can be valuable engagement tools.

Features such as bird tables / feeders, log piles, 'bug hotels', bird and bat boxes, etc. would also provide activities, add interest to the school landscape and support biodiversity.

The inclusion of SuDS as part of the school landscaping should also be considered further including rainwater chains, rainwater gardens and rills.

The CBC Landscape Officer would be available to provide more advice or help.

Sustainability Officer

The proposed development should be designed to meet requirements of the Local Plan Policy BE8: Built Environment. This policy states that proposals should maximise energy efficiency and conservation through orientation, layout and design of buildings, use of natural lighting and solar gain, and take full advantage of opportunities to use renewable or alternative energy sources.

The proposed new building represents an opportunity for the school to install PV panels on a new roof and take advantage of Feed-in tariff and savings on energy bill from its own electricity generation. To maximise generation it is recommended that the slope of the main roof is re-orientated to the south facing.

The submitted documents provide no information on sustainability standards proposed for this building and how they will contribute to achieving the policy BE8 objectives. More information is required in regard to sustainability performance of this building, particularly in regards to energy efficiency, renewable energy and water

efficiency.

SUDs

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

No calculations or evidence that the surface water system is capable of supporting this development has been provided. This should include evidence that there is enough storage capacity for a 1 in 100 + 40%Climate change rain fall event. Storage and soakaway ability should be proven.

The soakaway labelled SO5 appears to be sited in an area that is currently an unofficial surface water collection basin, the location of this soakaway may need to be reconsidered.

Any watercourse/ditch or path for surface water that is currently seen on land (as shown going through the proposed building) should be redirected through landscaping to bypass the building.

Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

We require detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements.

We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure.

Condition 1 : No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drawing No100 (February 2017) and assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The

scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to Qbar as outlined in the Flood Risk Assessment. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included.

The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

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

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

Other Representations:

Neighbours

Three Oaks, Sandy Lane

The proposed building directly overlooks our back garden and is considerably higher than we expected it would be. We are also concerned about the noise out of school hours should the hall be let out for private use.

We can not see why the new building could not be turned 90 degrees and sited behind the existing building which would minimise any effect on the residents.

Star Close

I oppose this application for the following reasons:

1) The design and style of this new building is not in keeping with the residential properties in the area which are all bungalows or maximum 2 storeys - this new

building is much higher than any neighbouring properties (and higher than any of the existing school buildings), furthermore it is on a higher elevation than any building in the area.

2) The building looks more like an industrial warehouse building than a construction suitable to a residential area

3) The area is already experiencing higher level of traffic (as acknowledged in my correspondence with Susan Childerhouse of Childrens Services on March 3rd) - the construction of this hall will only increase this problem for traffic and noise once the hall will be rented out, in and out of school hours.

4) Further construction on Green Belt

5) The school has been expanding constantly across the southern border with 4 new classrooms just installed in 2016 very close to the southern fence and with the location of this hall will continue to expand close to the properties to the south despite having huge amount of land to the North of the school where there are no neighbours !

6) I would like to comment that even in the case of the latest expansion with 4 new classrooms, the school committed to landscape with hedges and trees to screen the new buildings but after months of completed work, this is yet to materialise.

Lastly I would like to express my disappointment on the fact that despite we were invited to an open evening with the school to review the plan and express comments, it seems that all my comments have been totally ignored !

12 Sandy Lane

- We have SERIOUS concerns about this proposed build.
- Although the school's head has stated that the hall would only be used for the school in school time, he did add " while HE was head ") We feel that eventually the hall would be HIRED out and be used in the evenings , weekends and holiday times.
- This is unacceptable as this would mean even more traffic every day and evenings. The road is already congested and even dangerous at drop-off and pick-up times; plus it seems all throughout the day there are streams of traffic entering and leaving the school. There are cars belonging to staff parked daily on Carlton Grove and often on Sandy Lane itself, sometimes causing difficulty to other local traffic and

residents' vehicles.

- We hope this problem can be resolved.

23 Sandy Lane

I have been passed the above Application Notice by a neighbour who discovered that the information had not been widely distributed and that he had informed you that he had only just found out about it and telephoned you because he was concerned that the application entry date is 04 April 2017. I understand from him that you have extended the time frame which I am using to voice my concerns.

1) Sandy Lane is considered a quiet leafy lane which is already being spoiled by the influx of pupils to the school in a mixture of buses, taxis and private cars in the morning and afternoon. I have in the past expressed my concern about the extra volume of traffic this causes and the potential for accidents that could be caused particularly at the entrance to Sandy Lane from Heath Road.

2) Whilst in the planning application there are comments that the style and height of the proposed building are in keeping with the general locality I would point out that the dwellings nearest to the proposed new Hall are bungalows and are much lower height than the approximate height of 10 metres that the Hall will stand.

3) Copied from 5.2 of the Planning Design and Access Statement. Amongst other things, the core planning principles within the Framework recognise that planning policies should:

" ... take account of and support local strategies to improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities and services to meet local needs ... "

This concerns me greatly as it appears that there is every intention to market this facility throughout the "local" community. Obviously, that would increase the amount of traffic and parking in and around Sandy Lane especially as there are only planned to be a total of 44 car parking spaces. Even if I include in this number of 6 spaces for "buses" which are in fact approximately 9 seater buses which would only provide approximately 50 spaces in total.

4) As a resident I am aware that not all applications for planning concerning this Oak Bank School have been well distributed. This particular application being a pertinent example, I am therefore unhappy that decisions have apparently been made without ensuring that adequate distribution of the plans were made as stated in the Application Notice 6.2 Consultation exercises have been undertaken in respect of each of these, covering both statutory consultees and local neighbours and adjoining

landowners. These exercises indicated that there were few concerns in relation to the proposed building. For example, Leighton Linlade Town Council raised no objection to the renewal of the planning permission and no responses were received from any neighbours.

5) It is mentioned in Application Notice that the plan to promote its use to the "local community has been DROPPED 6.12 Some concerns were raised in relation to highway impact and noise, and these are discussed in our assessment below. Again, it is appropriate to note that these concerns primarily related to the suggestion that the building would be used by the wider community on a more intensive basis. This is no longer to be the case. What guarantees will we have that once it is built that this use will NOT be resurrected?

Determining Issues

The main considerations of the application are:

1. Principle of Development & Impact on the Green Belt
2. Loss of potential playing field area
3. Impact on neighbouring residents and surrounding area
4. Highways
5. Other Matters

Considerations

1.0 Principle of Development & Impact on the Green Belt

- 1.1 The site lies in the Green Belt. The NPPF does state that limited infilling or the partial or complete redevelopment of a previously developed site is acceptable providing the new building(s) would not have a greater impact on the openness of the Green Belt than the existing development. Very special circumstances are required to be shown for inappropriate development in the Green Belt and are considered as follows.
- 1.2 Oak Bank School was opened in 1976 as a residential school for a maximum of 40 pupils. From the beginning the school lacked a purpose-built area for the delivery of physical education. To address this shortcoming the general hall area has been adapted as much as possible to facilitate the teaching of some physical education, however the design, height and lighting of the area greatly limits the number of young people that can participate and the type of sports that can be played.
- 1.3 Since the school was built the nature, needs and numbers of young people attending the school have changed greatly. Oak Bank School is now a day school with a roll of 60 pupils. It is the only school within Central Bedfordshire and Bedford Borough that caters for pupils who have severe social, emotional and behavioural difficulties. With the creation of two new unitary authorities in Bedfordshire, Oak Bank School has remained the only special school that is shared by both authorities. The applicants advise that the importance of the school is reflected in the recent review of special educational needs

undertaken by the former Bedfordshire County Council which identifies the need for further development (including the physical environment) of Oak Bank School to enhance the facilities available at the school and enable pupils to gain appropriate and satisfactory access to the full curriculum.

- 1.4 Staff work alongside parents to support the individual needs of pupils by offering a safe and caring environment. From time to time, the school is awarded grants/cheques by sporting charities, such as the Lords/Ladies Taverners. In the recent past, money has been used to purchase sports equipment such as mountain bikes, a multigym, pool tables and tennis and badminton sets. The applicants have found that by encouraging pupils to take up sports activities it can be beneficial to their health and enable them to channel certain of their energies away from aggressive tendencies.
- 1.5 Oak Bank School is clearly of county-wide importance and it is considered that wider community benefits would accrue from the upgrading of indoor sports facilities.
- 1.6 It is considered that the infilling of the existing site could fall within the developments set out in the NPPF as acceptable in the Green Belt. Further, none of the Very Special Circumstances raised above have changed since the previous similar application was approved in 2012 and these circumstances are demonstrated to justify inappropriate development in the Green Belt.

2.0 Loss of potential playing field area

- 2.1 During consultation on the previous application there was correspondence with Sport England who initially raised concerns which were later overcome.
- 2.2 The existing football pitch is shown with the correct dimensions - 90m long by 60m wide - and the proposed footpath/driveway link between the school access drive/rear car park and the replacement tennis courts would be closer to the main school buildings and therefore not encroach onto the pitch. Again, to the west of the sports hall, the footpath link between the front car park and the replacement tennis courts and the screen planting would be much closer to the new building than originally proposed. As a result there would be ample land available here to lay out pitches for various age groups. Details of internal clearance heights within the proposed sports hall have been added to the elevational drawings. These would vary between 6.55m at the western end of the curved roof to 8.17m at its eastern end and would be adequate for a number of indoor sports.
- 2.3 This situation has not changed since the previous application nor have the specific South Bedfordshire Local Plan policies against which this consideration would be judged.

3.0 Impact on neighbouring residents and the surrounding area

- 3.1 The school has consulted neighbouring residents directly, and they were invited to a public exhibition, there were concerns raised that the building might be available for use by the wider community and the potential impacts of this on the immediate neighbourhood. The applicant has since considered this and this no longer forms part of the proposed development. A condition has also been imposed to restrict the use as the impacts of a possible community use

have not been explored in the appraisal of this proposal.

- 3.2 Several neighbouring objections have been made from various properties close to the site, the issues raised include, overlooking, highway impact, noise and disturbance and the overall design of the building.
- 3.3 The proposal cannot be located further to the north, away from Sandy Lane properties, without encroaching on the existing football pitch.
- 3.4 In terms of the height of the proposed building, the Council first approved a development with a pitched roof of 9.6m in 2008. The proposal in 2009 had a curved roof with a maximum height of 8.6m with the curvilinear.
- 3.5 In comparison to these schemes, the proposed development now offers a monopitched roof form. This would be at a height of 10m at its highest point to the east (facing the existing school buildings), reducing to 8m to the west. This height is broadly comparable to the scheme approved in 2009; while the proposed ridge height is slightly higher, the mono-pitch form now proposed significantly reduces the bulk and mass of the roof form. The design of this also mirrors the existing, adjacent building that exists.
- 3.6 By virtue of existing planting adjacent the boundary with Sandy Lane properties, the sports hall would be well screened during the summer months, although less so during the period of annual leaf fall through autumn, winter and early spring.
- 3.7 It is considered that the revised proposal would not result in any material increase in the impact of development on neighbouring residents and on the landscape character of the surrounding area, the adjoining land of which lies within the Area of Special Landscape Value.
- 3.8 This situation has not changed since the previous application nor have the specific South Bedfordshire Local Plan policies or national policies against which this consideration would be judged.

4.0 Highways

- 4.1 There are no changes are proposed to the existing means of access to the highway and as the previously proposed community use is now not planned, the proposals would impact upon the level of the available car parking on the site.
- 4.2 The School Travel Plan has been updated to reflect the addition of proposed facility.
- 4.3 The proposed development is unlikely to give rise to any changes in traffic movements to/from the site or to an increase in parking demand and hence is unlikely to have any adverse impact, hence would be considered to accord with Section 4 of the NPPF.

5.0 Other Matters

5.1 Consultees Responses

The Council's Sustainability Officer has expressed that more information is required in regard to sustainability performance of this building, particularly in regards to energy efficiency, renewable energy and water efficiency. However, although methods for greener energy are encouraged, the Council cannot impose such requirements.

5.2 There have also been comments from the Public Arts Officer with regard to lack of consideration for art within the proposal, although the provision of public art is encouraged, due to the size of this development, it is not considered appropriate to require such provision.

5.3 Human Rights issues

The proposal raises no Human Rights issues.

5.4 Equality Act 2010

The proposal raises issues under the Equality Act with regards to the provision of disabled parking spaces and the scheme provides for the retention of one on road parking space accordingly.

Recommendation

That Planning Permission be GRANTED subject to the following:

RECOMMENDED CONDITIONS

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

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

2 The development hereby approved shall take place strictly in accordance with the material details shown on drawing no. 16123 PDF 105.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Policies BE8 & NE3, SBLPR and Sections 7 & 11, NPPF)

3 All measures detailed within the School Travel Plan dated 21/02/17 shall be undertaken in accordance with the approved plan. There shall be an annual review of the Travel Plan to monitor progress in meeting the targets for reducing car journeys generated by the proposal and this shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, to reduce congestion and to promote the use of sustainable modes of transport.
(Section 4, NPPF)

4 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed drawing No100 (February 2017)**

and assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to Q_{bar} as outlined in the Flood Risk Assessment. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion shall also be included. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

- 5 The building hereby approved shall not be first occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

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

- 6 The sports hall hereby approved shall only be used for school purposes and shall not be hired or let to other parties.

Reason: To safeguard the amenity of nearby residential properties and to ensure the adequate provision of car parking on the site.
(Policies BE8 & T10, SBLPR & Sections 4 & 7 NPPF)

- 7 **Prior to development, all tree protection barrier fencing shall be erected in strict accordance with the "Arboricultural Method Statement," which is included in Section 3 of the "Arboricultural Impact Assessment and Arboricultural Method Statement" as prepared by Ecus Environmental Consultants dated February 2017, and in the positions indicated in Appendix 1 "Tree Protection Plan" (Drawing No. L9422/01). The tree protection barrier fencing shall then remain securely in position throughout the entire course of development.**

**Reason: To ensure the protection of the rooting system and canopy spread of retained trees in order to maintain tree health, stability and amenity value.
(Section 11, NPPF)**

- 8 Throughout the course of development, all management practices shall be carried out in strict accordance with Section 4 "Tree Management" of the "Arboricultural Impact Assessment and Arboricultural Method Statement" prepared by Ecus Environmental Consultants dated February 2017.

Reason: To ensure that all development activity and practices avoids damage to retained trees, in order to maintain their health, stability and amenity value.
(Section 11, NPPF)

- 9 During the first planting season (November to March) following completion of development, all landscape planting and aftercare shall be carried out in strict compliance with the "Landscape Planting Plan" (including planting notes) as prepared by LaDellWood (Drawing No. 2463/17/B/1, dated January 2017). The landscape planting shall then be satisfactorily maintained for a period of 5 years following completion of initial planting, with any losses replaced in accordance with the approved planting plan and planting notes.

Reason: To ensure a satisfactory standard of landscape planting, aftercare and establishment, in the interests of providing visual amenity.
(Policies BE8 & NE3, SBLPR and Sections 7 & 11, NPPF)

- 10 The rating level of sound emitted from any fixed plant and/or machinery associated with the development shall not exceed a level 5dB(A) below the existing background sound levels at the any sound sensitive premises. All measurements shall be made in accordance with the methodology of BS4142 (2014) (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Reason: To protect the amenities of nearby residents.
(Section 11, NPPF)

- 11 No external lighting shall be installed in association with the proposed sports hall and the replacement tennis courts without the prior written approval of the Local Planning Authority.

Reason: To protect both the amenity of neighbouring properties and the setting of the Area of Great Landscape Value.
(Policy BE8, S.B.L.P.R & Section 7, NPPF)

- 12 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SD001, SD002, SD003, SD004, SD005, SD006, PD101, PD102, PD103, PD104, 100, 16143-M302 P2, 16123 PDF 105 & 14022.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

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

These requirements are as follows:

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

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

For further information on disability access contact:

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

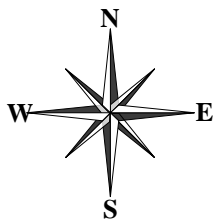
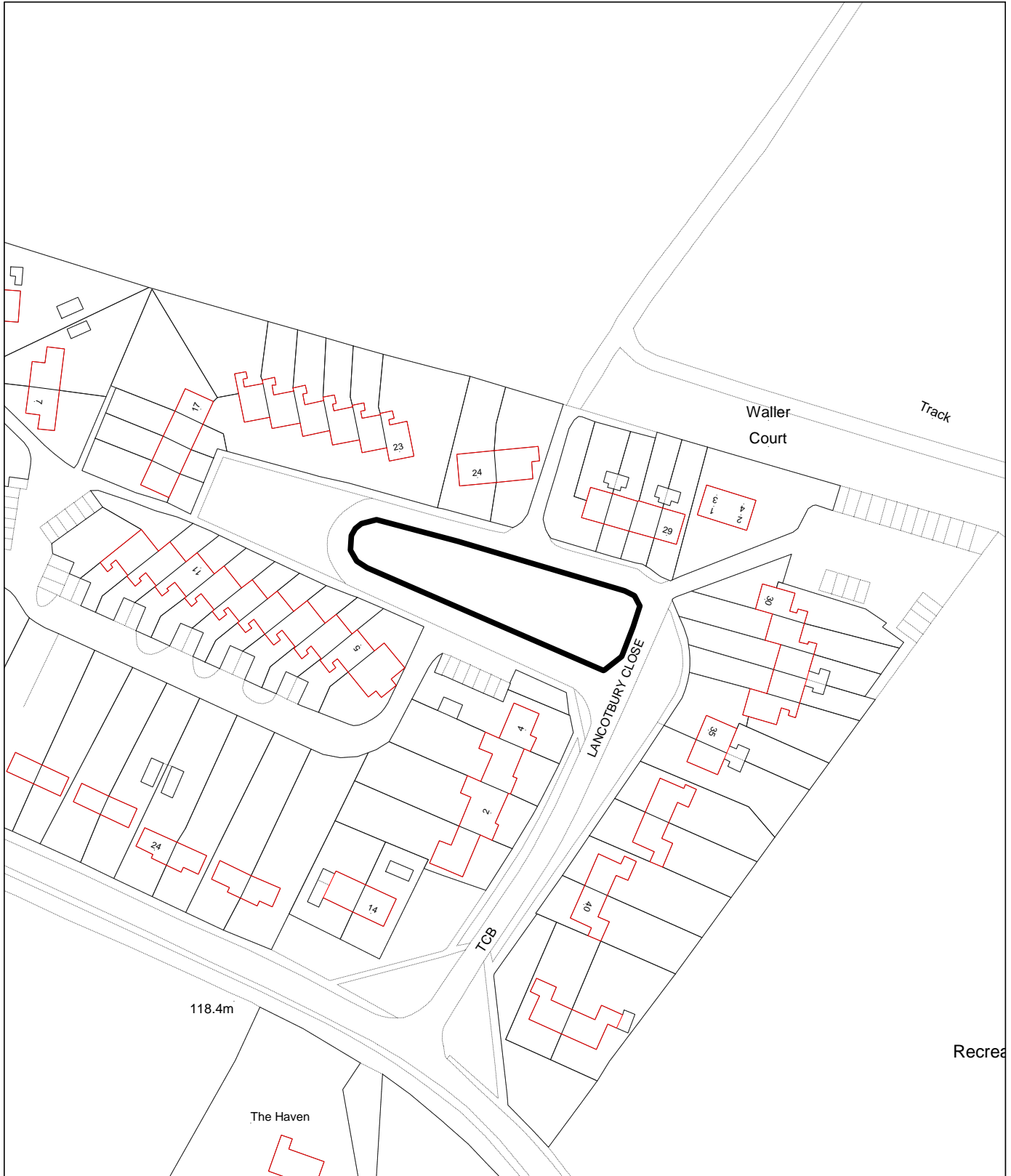
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

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

DECISION

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Central Bedfordshire Council
Licence No. 100049029 (2009)
Date: 05:May:2017
Grid Ref: 499013; 221474

Application No.
CB/16/04384/REG3

Scale: 1:1250

Lancotbury Close Amenity Land, Totterhoe

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Item No. 14

APPLICATION NUMBER	CB/16/04384/REG3
LOCATION	Lancotbury Close Amenity Land, Totternhoe
PROPOSAL	Regulation 3: Provision of additional off - road parking
PARISH	Totternhoe
WARD	Eaton Bray
WARD COUNCILLORS	Cllr Janes
CASE OFFICER	Nicola Darcy
DATE REGISTERED	02 November 2016
EXPIRY DATE	28 December 2016
APPLICANT	Central Bedfordshire Council
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Reg 3 application with objections that cannot be overcome by condition. Application was deferred to this committee due to lack of supporting information.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation

On balance, the loss of some amenity land will be to the greater good of the users of the highway network and the community by providing greater connectivity and protection of the remainder of the amenity provision. It is considered therefore that the proposed development conforms with Policies BE8 & R12 of the South Bedfordshire Local Plan Review and Sections 4 & 7 of the National Planning Policy Framework

Site Location:

The application site consists of a small parcel of amenity land located at the northern end of Lancotbury Close in Totternhoe.

The Application:

The applicant, Central Bedfordshire Council, propose to provide 18 off road parking spaces and the realignment of an existing kerb on a moderately proportioned plot of amenity land.

Following Parish Council comments, the proposal has been amended and now proposes 18 echelon parking spaces, as a row of 9 on each side of the grass amenity area.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Section 4: Sustainable Transport
Section 7: Requiring Good Design

South Bedfordshire Local Plan Review

BE8 Design Considerations
R12 Recreation Open Space
T10 Parking

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, policies BE8 & R12 are still given significant weight. T10 is afforded less weight.)

Development Strategy

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

Supplementary Planning Guidance

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None relevant

Representations:

Totternhoe Parish
Council

I have been instructed to write to you regarding the above Planning Application. My Council do not consider the current proposal to have linear parking in the Close by cutting into the grass amenity land in the centre of the Close, to be the best option. There has been a long term parking problem in this Close and it is felt that a better solution should be considered.

After careful consideration of the drawings associated with this application the Council would recommend that chevron parking would be a better solution and would create more parking spaces, with the loss of an additional area of amenity land being too small to be noticeable. Further it is considered there is not the need for a footpath across the amenity area as most residents would park their cars adjacent to their properties.

The existing area of amenity land is already used as an unofficial car park by residents to the detriment of its appearance. Chevron parking will provide more car parking spaces than a linear scheme, and will discourage residents and visitors from further degrading the grassed areas. A straw poll of residents taken by Councillors has demonstrated that they would support the Council's views on this important issue.

We trust that due consideration will be given to the view of the Council and the local residents.

Consultees:

1. CBC Highways Officer The applicant wishes to provide echelon parking spaces, the annotated dimensions of which are in accordance with the Council's Design Guide. The parking bays shown on the drawing do not reflect the dimensions shown and are considered indicative. The use of the echelon parking requires the provision of a one way system which may also require waiting restrictions outside 26 – 28 Lancotbury Close to prevent on street parking obstructing the new parking spaces.

I would recommend the following conditions are imposed.

- Development shall not begin until details of a proposed traffic regulation order for the proposed one-way system and on-street parking restrictions have been approved by the Local Planning Authority and no development shall be brought in to use until the traffic regulation orders have been implemented in accordance with the approved details.

Reason

In the interest of highway safety.

- The proposed development shall be constructed in accordance with the parking standards guidance in the Central Bedfordshire Design Guide.

Reason.

In the interest of road safety and for the avoidance of doubt.

- The widening of the existing carriageway shown hatched with a black line on the approved drawing shall be constructed to an adoptable standard.

Reason

To ensure that the proposed roadworks are constructed to an adequate standard.

Furthermore, I should be grateful if you would arrange for the following Highway Notes to the applicant to be appended to any consent issued by the council.

- The applicant is advised that in order to comply with Condition 3 of this permission it will be necessary for the developer of the site to enter into a Dedication Agreement to ensure the land is dedicated as public highway. Further details can be obtained from the

Highways Development Management, Regeneration and Business Directorate, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ. The applicant is also advised that if any of the construction works associated with the widening of the carriageway affects or requires the removal and/or the relocation of any equipment, apparatus or structures, then the applicant will be required to bear the cost of such removal or alteration.

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from The Street Works Co-ordinator, Bedfordshire Highways, by contacting the Highways Helpdesk 0300 300 8049.

Other Representations:

28 Lancotbury Close Yes we need more parking for residents, not a one way system, have you thought about the farm tractors and delivery vans and lorries?? Tractors have to cross the green, but wont be able to with this plan. Why not just allow dropped Kerbs and install driveways, keeping the green as it is for children to play on. It seems that it is being made too complicated when the solution is so simple

29 Lancotbury Close I live at number 29, and have my own drive which solves all of my parking issues. Why not give residents permission to put dropped kerbs in, this would solve all of one side of Lancotbury Closes parking problems, without cost to the council??
At the other end of the Close, why not take out the grass near the houses in the horseshoe shape, so residents can park nearer their houses than at present they cant get anywhere near with a car?
The way these plans are drawn, the car spaces are at an angle, the one way suggestion should be the other way round, so getting into these spaces is easier?
As I live at 29, I also dont want to go right round the Close to go a few yards up the road, it is wide enough to pass so why put a 1 way system in?
Can you confirm that you will be putting double yellow lines in? And if so what for?
Residents want their own parking of course, and a lot are prepared to put their own in with permission to drop the kerbs, at present they drive over the kerb to keep their cars safe from burglary and vandals, near to their houses, this will not stop even with this proposed parking put in, so I feel that where possible, permission should be given for residents to go over council verges to get onto their front

gardens, as I was able to do.
Are these places allocated for certain houses?
We need more information.

24 Lancotbury

My wife and I strongly support the application, however, we have concerns regarding new parking bays opposite our drive way. At present, to back out of our drive, we have to mount the grass area to enable a turning circle. The proposed plans mean a car would be parked there therefore not allowing space to reverse out of our drive. On occasions when cars park on the green close to the edge opposite our drive, it can be almost impossible to manoeuvre out, especially if cars are parked too close to the dropped kerb. We would like consideration made for this and would welcome someone to view.

9 Lancotbury

I support the application but have some comments about it.

(1) Have the double yellow lines that were in the original design been removed? Will this mean that the Close could still be blocked by parked cars when there are parking spaces available?

(2) When relocating the lamp posts could anything be done about the fact that they flood our bedrooms with too much light at night? Could they be switched lower or off between midnight and 6am?

(3) I think the new design with a One Way system and echelon parking at the east end is much better. It is both more practical and more attractive. But surely the echelons are sloping the wrong way - unless you are intending to force people to reverse into parking spaces? Entering at the south of the Close you would have to turn through 120 deg to the right to get into a bay and when reversing out you would then be facing the wrong way for the One Way system. The same applies to the bays on the north side of the Close.

(4) What is the new profile of the grassed area going to be? I do not see how to view this on line.

(5) Could any thought and provision be given to planting some trees on the grassed area to enhance it? This could be done between the rows of echelons but also a few in the open grassed area would be attractive. If it is a matter of lack of funds I would be happy to canvass the residents about funding and even planting the trees ourselves if necessary.

5A Lancotbury

CONS:

1. Difficult to enter parking spaces in a forward direction due to proposed one way system, therefore necessitating car boot emptying over grass area which is unsafe due to being very slippery over winter.

2. Still does not give the required number of car parking spaces, therefore original problem not addressed.

PROS:

1. Least disturbance of green areas
2. Wider road at the lower end of the Close giving better access for larger vehicles.

Considerations

1. Background

At last month's committee, Members requested that this application be deferred as they required further information with regard to the need for parking in this location in order to justify the loss of amenity land. The applicant has now put forward the following support:

Lancotbury Close is one of a number of roads within the south of the authority where the authority owns housing and has received complaints from tenants about parking issues.

The road has received priority for a jointly funded Housing and Highways scheme as:

- The demand for parking is substantially in excess of available capacity, both on and off street and the opportunity for householders to accommodate parked vehicles within the curtilage of their properties is limited.
- Parked vehicles are obstructing the highway and are particularly problematic for larger service vehicles.
- Parked vehicles are inflicting substantial damage to areas of verge and amenity space which, if allowed to continue, will necessitate expensive remedial works.
- A scheme would allow on-street parking to be regulated and would offer additional traffic management and road safety benefits.

Highways have the option of introducing waiting restrictions and installing measures to stop deter parking on verges and amenity areas. However, this action would have the effect of exacerbating parking pressures.

2. Principle

Policy R12 of the South Bedfordshire Local Plan Review emphasises the need to preserve formal and informal open spaces in the district. The Local Authority considers that open spaces have a vitally important amenity role in addition to their value for recreational purposes. Such open spaces contribute to the variety of land uses within the urban fabric which help to make towns and villages convenient, satisfying and enjoyable to live.

In the case of the proposed amenity land, in places, the land appears to show evidence of being used for unauthorised parking leaving some of the grassed amenity areas in an unacceptable state. As such, the loss of a relatively small portion of this large expanse of land for hardstanding would allow the control of

parking concentrated to the areas proposed and allow for the remaining amenity land to regrow and add value to the streetscene. Furthermore the scheme has additional benefits which are material considerations, including a one way system around the Close and the realignment of a problematic kerbline to prevent large vehicles from damaging the kerb.

As such, on balance the loss of some amenity land would be to the greater good of the remainder amenity provision, the users of the highway network and the community by providing greater connectivity and protection of the remainder of the amenity provision. It is considered therefore that the proposed development conforms with Policies BE8 & R12 of the South Bedfordshire Local Plan Review.

3. Affect on the Character and Appearance of the Area

The introduction of formal parking on the amenity area would provide greater protection of the remainder of the green space from indiscriminate parking and therefore ensuring the visual protection of the amenity space is retained. Therefore it is considered that the proposal would conform with Policy BE8 of the South Bedfordshire Local Plan Review and Section 7 of the NPPF.

4. Neighbouring Amenity

The council as applicant has provided the following response to the various points raised by residents:

1. Introduction of one-way system

The introduction of a one-way operation has the benefits of maximising on-street parking and enhancing safety. The marginal dis-benefit is that some residents will have to drive slightly further to their properties.

2. Number of car parking spaces created

The arrangement seeks to maximise the number of parking spaces available to residents in a way that is affordable for the authority to construct.

3. Accessibility for larger vehicles including tractors, lorries and delivery vans

The one-way arrangement and changes to the kerb line will make it easier for all vehicles to negotiate their way around the central island.

4. Option to remove the grassed amenity area at the western end of the Close

The amount of material that would have to be excavated makes this option prohibitively expensive for the relatively few additional parking spaces created.

5. Orientation of the spaces to facilitate access to spaces

The spaces are deliberately orientated to encourage drivers to reverse in and accords with road safety guidance (reference paragraph 20.17 of the Traffic Signs Manual).

6. Introduction of waiting restrictions

The need for waiting restrictions will be assessed once the scheme is in place.

7. Allocation of spaces

There is no intention to change the first-come first-served basis for on-street parking within the Close.

8. Issues when accessing driveways

The need for 'h-bar' markings to protect property accesses will be considered when finalising construction plans.

9. Profile and landscaping of the grassed area

The provision of trees within the amenity area can be considered for the scheme's construction, assuming budgets allow.

10. Design of the replacement street lighting

Where a lighting column has to be moved it is likely to be replaced with a modern LED version. These use a lot less energy to run and afford greater control over the 'spread' of light.

11. Option to allow residents permission to drop the kerb and to provide a driveway so that they can park within the curtilage of their property

The option to apply for a dropped kerb will remain open to residents with requests assessed in accord with the authority's published guidance.

Having regard to the above, it is considered that, on balance, the proposed scheme would alleviate some of the parking problems within the Close. Furthermore, the scheme is not considered to give rise to an unacceptable impact on the local residential amenity in terms of inconvenience, noise and disturbance which could substantiate a reason for refusal. Therefore it is considered that the proposal would conform with Policy BE8 of the South Bedfordshire Local Plan Review and Section 7 of the NPPF.

5. Highway Considerations

The works to form the parking areas would be undertaken by the authority in accordance with the appropriate specification. The creation of these additional parking spaces at the end of this cul-de-sac would help in reducing the parking problems in the area. Therefore the Council's Highways Officer has confirmed that there should not be a restriction to the granting of permission to the above planning application on highway grounds, subject to the imposition of conditions. However, the matter of providing a one-way system and on-street parking restrictions is a matter that is controlled by the Council as a Highway Authority and should not therefore be controlled by planning condition. The proposal would not contribute to highway safety concerns and it is considered to be in accordance with policy T10 of the South Bedfordshire Local Plan Review, the Central Bedfordshire Design Guide and Section 4 of the NPPF.

6. Other Considerations
Human Rights issues

The proposal raises no Human Rights issues.

Equality Act 2010

The proposal raises issues under the Equality Act with regards to the provision of disabled parking spaces and the scheme provides for the retention of one on road parking space accordingly.

Recommendation:

That Planning Permission be APPROVED subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 The proposed development shall be constructed in accordance with the parking standards guidance in the Central Bedfordshire Design Guide.

Reason: In the interest of road safety and for the avoidance of doubt (Section 4, NPPF)

- 3 The widening of the existing carriageway shown hatched with a black line on the approved drawing shall be constructed to an adoptable standard.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard. (Section 4, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number CBC/001.

Reason: To identify the approved plan 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 South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).
2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. The applicant is advised that in order to comply with Condition 3 of this permission it will be necessary for the developer of the site to enter into a Dedication Agreement to ensure the land is dedicated as public highway. Further details can be obtained from the Highways Development Management, Regeneration and Business Directorate, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ. The applicant is also advised that if any of the construction works associated with the widening of the carriageway affects or requires the removal and/or the relocation of any equipment, apparatus or structures, then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
5. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority.

The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

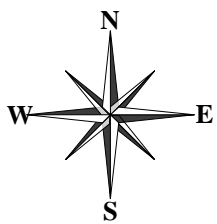
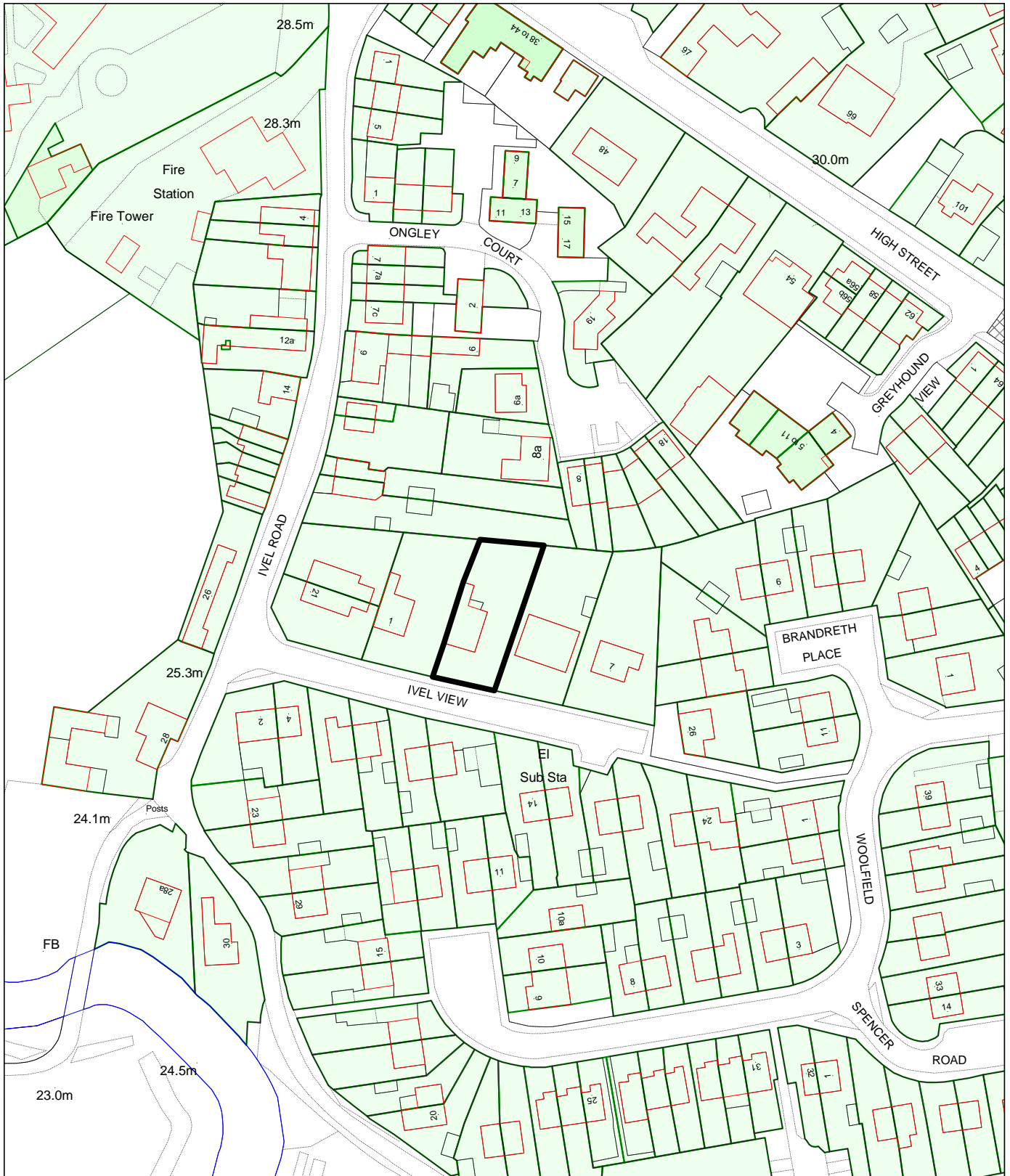
Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

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

DECISION

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Date: 05:June:2017

Map Sheet No

Application No.
CB/17/01649/FULL

Scale: 1:1250

3 Ivel View, Sandy, SG19 1AU

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Item No. 15

APPLICATION NUMBER	CB/17/01649/FULL
LOCATION	3 Ivel View, Sandy, SG19 1AU
PROPOSAL	Single story rear extension, with alterations to roof to make it hipped to flat with a roof lantern light, loft conversion with rear dormer and velux windows
PARISH	Sandy
WARD	Sandy
WARD COUNCILLORS	Cllrs Maudlin, Smith & Stock
CASE OFFICER	Michael Allen
DATE REGISTERED	20 April 2017
EXPIRY DATE	15 June 2017
APPLICANT	Mrs S Rammal
AGENT	ADP Designs
REASON FOR COMMITTEE TO DETERMINE	Agent is a member of CBC Staff
RECOMMENDED DECISION	Full Application - Approval

Reason for Recommendation:

The principle of enlargements and alterations of an existing residential dwelling is 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 Polices (2009) and The National Planning Policy Framework.

Site Location:

The application site consists of a detached dwellinghouse and curtilage. This site is located at 3 Ivel View, Sandy, SG19 1AU. The site lies within the settlement envelope of Sandy. To the West of the site is dwelling No. 1 Ivel View and to the East of the site is dwelling No. 5 Ivel View.

The Application:

The application seeks planning permission for a single storey rear extension and rear dormer. The proposed rear extension enlargement projects 3.9m beyond the rear wall, has a width of 8.5m, a total height of 4.1m and an eaves height of 2.4m.

In addition this application seeks planning permission for the insertion of a rear dormer on the North East facing rear roof slope. The proposed rear dormer will have

a height of 2.7m, project beyond the roof of 3.7m and have a width of 4.5m in total.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

DM3 High Quality Development
CS14 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/17/00472/LDCP
Location	3 Ivel View, Sandy, SG19 1AU
Proposal	Lawful Development Certificate Proposed: Part edition to side of existing rear extension, with alterations to roof to make it hipped to flat with a roof lantern light, alterations to existing rear extension and loft conversion with dormer and velux windows
Decision	Application Withdrawn
Decision Date	03/04/2017

Case Reference	MB/02/00155/FULL
Location	3 Ivel View, Sandy, SG19 1AU
Proposal	FULL: SINGLE STOREY REAR EXTENSION.
Decision	Full Application - Granted
Decision Date	13/03/2002

Case Reference	MB/99/00170/FULL
Location	3 Ivel View, Sandy, SG19 1AU
Proposal	FULL: TWO STOREY SIDE EXTENSION AND ATTACHED GARAGE
Decision	Full Application - Granted

Decision Date	23/03/1999
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Consultees:

Sandy Town Council No Response.

Other Representations:

Neighbours No Response.

Determining Issues:

The main considerations of the application are;

Considerations

1. Character and Appearance of the Area

- 1.1 Due to the single storey nature of the rear extension it would appear subservient to the host dwelling. Further; due to the extension siting to the rear of the house, it would not be visible from the public realm and from the highway. Due to the modest scale of the proposal, it is not overly prominent and is therefore acceptable in terms of its impact on the character of the area.
- 1.2 The proposed dormer at the rear of the property would not be visible to the public realm or highway. So therefore the insertion of a roof dormer to the rear of the property will not have an adverse impact on the current character and appearance of the property and surrounding area due to the scale, location and nature of the proposal. This proposed dormer would be acceptable.
- 1.3 Therefore, subject to conditions that would ensure the materials used for the construction of the proposed development would match those of 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 Due to the location, nature and scale of the proposed rear single storey extension it is considered that there is no unacceptable loss of privacy to dwelling No. 5 Ivel View. In addition given the Council's 45 degree guidance there is no material loss of daylight to the nearest ground floor window at No.5. The proposed development has no overbearing impact or loss of outlook to No.5 due to the single storey nature of the extension and its siting.
- 2.2 In relation to No. 1 Ivel View, due to the location, nature and scale of the proposed rear single storey extension it is considered that there is no unacceptable loss of privacy, outlook, light or overbearing impact due to the

adequate separation distance between the proposed development and the rear wall of No. 1 Ivel View.

- 2.3 Due to the nature of the enlargement, and modest projection of the rear dormer in relation to neighbouring dwelling No. 1 and 5 Ivel View, it is considered that the proposed development would not cause an unacceptable material loss of light in accordance with the council's 45 degree rule of light. The rear dormer is not overbearing or does it cause unacceptable loss of outlook. The dormer would have an increased viewpoint onto the rear garden of No. 1 and 5 Ivel View but would not be an unacceptable loss of privacy to the occupiers given the adjacent gardens are already overlooked. Therefore the proposed rear dormer is acceptable.
- 2.4 Therefore the single storey rear extension and dormer would not cause harm to the amenity and living conditions of occupiers of the neighbouring dwellings in accordance with policy DM3 of the Core Strategy Development Management Policies (2009). It is considered that the proposed development is acceptable.

3. Car Parking and Highway Safety

- 3.1 The proposed rear extension and rear dormer would not provide an extra bedroom, and would not be considered to cause additional vehicular movements to and from the site which would satisfy the Council's Car Parking Standards, in accordance with the Central Bedfordshire Design Guide (2014). Therefore, it is considered that the proposed development would be acceptable in the context of 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 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:

Permission to be **GRANTED** 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 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 CBC/001, CBC/002, CBC/003 and MMAR-03IV-PA01A.

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>

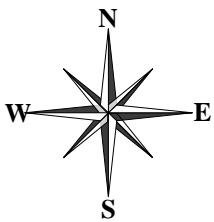
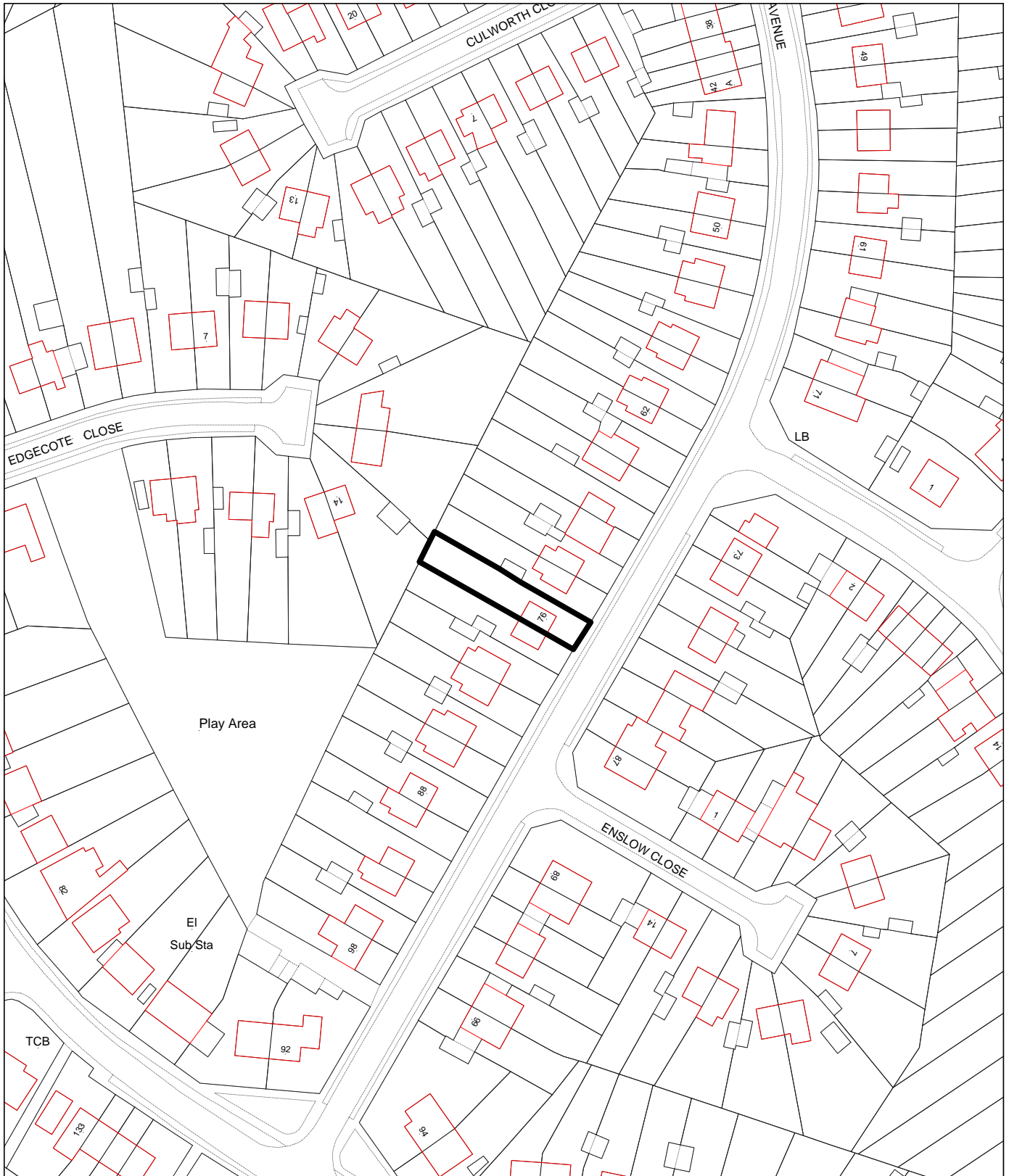
3. Please note that the unnumbered drawings submitted in connection with this application have been given unique numbers by the Local Planning Authority. The numbers can be sourced by examining the plans on the View a Planning Application pages of the Council's website www.centralbedfordshire.gov.uk.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 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: 02:June:2017

Grid Ref: 506420; 219184

Application No.
CB/17/01333/FULL

Scale: 1:1250

76 Elm Avenue, Caddington, Luton, LU1 4HT

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Item No. 16

APPLICATION NUMBER	CB/17/01333/FULL
LOCATION	76 Elm Avenue, Caddington, Luton, LU1 4HT
PROPOSAL	Proposed two storey rear extension and single storey side extension
PARISH	Caddington
WARD	Caddington
WARD COUNCILLORS	Cllrs Collins & Stay
CASE OFFICER	James Peck
DATE REGISTERED	16 March 2017
EXPIRY DATE	11 May 2017
APPLICANT	Mr Burton
AGENT	ADP Designs
REASON FOR COMMITTEE TO DETERMINE	The agent, Mr Perschky of ADP Designs, works within the Highways Development Management team for Central Bedfordshire Council.
RECOMMENDED DECISION	Full Application - Recommended for Approval

Reason for Recommendation:

The principle of enlargements and alterations of an existing residential dwelling within the application site is acceptable. The development would not result in an unacceptable impact on the character of the area, have an adverse impact on the residential amenity of neighbouring properties or highway safety. Therefore subject to conditions, the proposed development is in conformity with Saved Policies BE8, H8 and T10 of the South Bedfordshire Local Plan Review 2004, Sections 1 and 7 of the Central Bedfordshire Design Guide 2014 and Sections 4 and 7 of the National Planning Policy Framework.

Site Location:

The application site consists of a two storey semi-detached dwelling with permeable hardstanding and a driveway to the front and north-eastern side of the application site respectively. The application site is located on the north-western side of Elm Avenue, Caddington, is attached to 78 Elm Avenue and is flanked by 74 Elm Avenue to its north-west and by 13 & 14 Edgecote Close to its rear.

The vicinity of the application site is comprised of two storey detached dwellings which have had various front and side extensions.

The Application:

Planning permission is sought for a two-storey side/rear extension and a single storey side extension.

The first floor rear element of the proposed two storey side/rear extension includes a dual-pitched roof with a rear-facing gable end, a roof light in its south-western side

roof slope, a window in its rear elevation and would measure 4.9m in height above ground level up to eaves, 6.5m in height above ground level up to its highest point along its roof ridge, 4.3m in width and 3m in depth.

The ground floor rear element of the proposed two storey side/rear extension would feature a mono-pitched roof, a set of bi-fold patio doors on its rear elevation and would have dimensions of 2.9m in height above ground level up to its eaves, 3.5m in height up to its highest point where it meets the rear elevation of the first floor rear extension, 5.95m in width and 4m in depth when measured from the rear elevation of the existing dwelling.

The side element of the proposed two storey side/rear extension includes a hip-to-gable projection off the roof of the proposed two storey rear element, two roof lights in its side roof slopes, a window in its rear elevation and would measure 4.9m in height above ground level up to its eaves, 6m in height above ground level up to its highest point along its roof ridge, 1.7m in width and 3m in depth.

The proposed single storey side extension would feature a mono-pitched roof with two roof lights inserted into this roof slope, a window on its north-eastern side elevation, a door and full height window on its front elevation and would have dimensions of 2.7m in height up to its eaves, 3.8m in height up to its highest point where it meets the north-eastern side elevation of the original dwelling, 1.8m in width and 4.8m in depth.

During the determination period for the subject planning application, revised plans have been sought and adopted to amend the design of the side element of the two storey rear extension from a flat roof to a pitched roof. The width of proposed rear extension has also been reduced and hence greater clearance from the shared neighbour boundary line with 78 Elm Avenue has been provided based on residential amenity concerns raised by CBC planning officers.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 1: Parking in new developments

Section 7: Requiring good design

South Bedfordshire Local Plan Review

BE8: Design Considerations

H8: Extensions to Dwellings

T10: Parking for new Developments

(Having regard to the National Planning Policy Framework, the age of the plan and the general consistency with the NPPF, Policies BE8 & H8 are still given significant weight. Policy T10 is afforded less weight).

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the

NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

7 Householder Alterations and Extensions

Relevant Planning History:

None.

Consultees:

Caddington Parish Council (30/04/17) - The paper work presented does not match the descriptions on the drawings. The drawings state a loft conversion where you can clearly see the applicant is incorporating a loft conversion in the new extension. We feel that new descriptions are needed. Also the flat roof that is shown on the front elevation and can be seen down the side of the property from the road does not meet the street scene and blend with other properties. We feel that it could be more aesthetically pleasing if the applicant continued the pitched roof all the way across and all of road parking requirements are met. If these issues are resolved then we would have no objections.

Other Representations:

Neighbours - No response from the occupier of 74 Elm Avenue. The occupiers of other neighbouring properties adjoining the application site are still being consulted at the time of writing this report with the consultation due to end on 22nd June 2017. Any comments received will be reported to the Committee.

Considerations:

1. Design Considerations

1.1 Saved Policy BE8 of the South Bedfordshire Local Plan Review 2004 states that proposed development should, amongst other things, enhance and reinforce the character and local distinctiveness of the area and the design, massing and scale of any proposed development should compliment and harmonise its local surroundings, nor adversely affect public views into the application site. Saved Policy H8 of the South Bedfordshire Local Plan Review 2004 focuses on

residential development and insists that proposed extensions to dwellings should be designed in such a way as to relate acceptably in design, bulk and materials to the attached dwelling and maintain adequate separation between adjacent buildings including neighbouring properties. Section 7 of the Central Bedfordshire Design Guide provides detailed design guidance for residential development to support the above local planning policies. Proposed extensions should relate acceptably with the design, bulk and character of their host dwellings, appear as subservient additions to their attached dwellings and should not dominate the design of the host dwelling. Side extensions on semi-detached dwellings should also be designed to include at least 300mm set-back from the principal front elevation of the host dwelling, be set down from the maximum height of the host dwelling by at least 300mm and ideally be set in from any shared side neighbouring boundary line by at least 1m in order to avoid a 'terracing effect' from occurring between detached properties in the streetscene.

- 1.2 The proposed single storey and two storey side extensions would be visible from the public realm and there would only be a separation of 0.8m from the shared side boundary line with the detached property 74 Elm Avenue. However, given the fact that the proposed side extensions would be set back from the front elevation of the host dwelling, would not exceed the eaves or maximum height of the existing dwelling and there would still be adequate clearance from 74 Elm Avenue, on balance, the proposed side extensions would appear as subservient additions to the host dwelling and would not detract from visual amenity in the streetscene.
- 1.3 Overall the architectural style, materials and detailing to be utilised for the proposed development is deemed to be complimentary to the architectural design of the host dwelling. Such development would not result in over-development of the application site.
- 1.4 Therefore for the reasons outlined above and subject to the imposition of conditions that would ensure the external materials used are acceptable in the context of the site, it is considered that the proposed development would not cause harm to the character and appearance of the area, in accordance with Policies BE8 and H8 of the South Bedfordshire Local Plan Review, Section 7 of the Central Bedfordshire Design Guide and Section 7 of the National Planning Policy Framework and is therefore acceptable on design grounds.

2. Impact of the Proposed Development on Neighbouring Residential Amenity

- 2.1 Saved Policies BE8 and H8 of the South Bedfordshire Local Plan Review 2004 seek to ensure that no proposed development, because of its design, mass, bulk, fenestration and materials would result in unacceptable harm to the residential amenity of nearby properties which includes ambient light levels and visual amenity. Section 7 of the Central Bedfordshire Design Guide explains that a notional 45 degree eyeline will be utilised to assess the degree of infringement that proposed development would have on adjacent properties' owners residential amenity.

- 2.2 Revised plans submitted for the subject planning application show a 0.5m separation gap between the south-western side elevation of the two-storey rear extension and the shared side boundary line with attached property 78 Elm Avenue. Whilst the proposed two storey rear extension would marginally breach a vertical 45 degree eyeline when taken from the central position of the existing single storey rear extension at 78 Elm Avenue, the rear elevations of the host dwelling and the adjoining dwelling are north-west facing, the proposed extensions are modest in bulk and massing with pitched roofs and no windows would be inserted into the nearest side elevation of the proposed rear extensions. A notional 45 degree horizontal eyeline taken from the existing ground floor rear extension and the nearest first floor window on the rear elevation of 78 Elm Avenue would not be significantly occluded by the proposed development. It is considered that the proposed development would not be detrimental to the residential amenity currently enjoyed by the occupiers of 78 Elm Avenue with regards to overshadowing, loss of light, overbearingness, outlook or privacy.
- 2.3 A window is proposed to be inserted into the first floor north-eastern side elevation of 76 Elm Avenue which could result in mutual overlooking should a first floor window be inserted into the south-western side elevation of 74 Elm Avenue in the future. A planning condition stating that the proposed side elevation window for 76 Elm Avenue will be obscure-glazed and non-opening up to a height of 1.7m above floor level will be attached to any decision notice granting planning permission for the proposed development is deemed to help mitigate any potential impact that such development may have on the adjacent property. As the existing windows in the south-western side elevation of the adjacent property 74 Elm Avenue do not serve habitable rooms and as there is adequate separation between this adjacent property and properties to the rear of the application serving Edgecote Close, the proposed development would have no material impact on these neighbour's residential amenity.
- 2.4 Taking into account all of the above considerations, it is deemed that the proposal is in accordance with Section 7 of the National Planning Policy Framework, Policies BE8 and H8 of the South Bedfordshire Local Plan Review and Section 7 of the Central Bedfordshire Design Guide.

3. Car Parking and Highway Safety Considerations

- 3.1 The proposed development would result in the creation of one additional bedroom taking the total number of bedrooms serving 76 Elm Avenue to three. Section 1 of the Central Bedfordshire Design Guide states that the minimum number of off-street parking spaces that need to be provided for three bedroom semi-detached properties is two. Existing permeable hardstanding to the front of the host dwelling as well as a driveway along its north-eastern edge would be able to accommodate at least two vehicles clear of the public highway. It is also noted that Elm Avenue is a local residential road and is not a classified access route. Therefore, it is considered that the proposed development would be acceptable in the context of car parking and highway safety and so would be in accordance with saved Policy T10 of the South Bedfordshire Local Plan Review 2004, Section 1 of the Central Bedfordshire Design Guide 2014 and Section 4 of the National Planning Policy Framework.

4. Other Considerations

4.1 Consultation Comments from Caddington Parish Council

The comments submitted by Caddington Parish Council regarding the subject planning application have been noted. The proposed development would not include a loft conversion and only includes works to the ground and first floors of the host dwelling; and the proposed roof lights on the rear elevation of the proposed development serve the proposed first floor habitable space. Revised plans have been adopted during the determination period for the subject planning application which has amended the proposed flat roof of the proposed two storey side extension to a pitched roof. It is therefore considered that the Parish Council's comments regarding an inaccurate application description and the poor design of the proposed two-storey side extension have now been addressed.

4.2 Human Rights issues:

There are no human rights issues raised by this proposal.

4.3 Equality Act 2010:

There are no issues raised by this proposal that are pertinent to the Equality Act 2010.

Recommendation:

That subject to The Development Infrastructure Group Manager being given delegated authority for full consideration of any material planning considerations received from neighbour responses received in the remaining consultation period, that Planning Permission to be **GRANTED** subject to the following conditions:

RECOMMENDED CONDITIONS

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

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

- 2 The first floor window in the north-eastern side elevation of 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 window which can be opened are more than 1.7m above the floor of the room in which the window is installed. No further windows or other openings shall be formed in the north-eastern first floor side elevation.

Reason: To safeguard the privacy of occupiers of adjoining properties.
(Policies BE8 and H8, SBLPR and Section 7, NPPF)

- 3 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.

(Policies BE8 and H8, SBLPR and Section 7, NPPF)

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CBC/001, CCB/002, CBC/003, MMAB-76EA-PA01 and MMAB-76EA-PA03/ Rev. A.

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

INFORMATIVE NOTES TO APPLICANT

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the National Planning Policy Framework (NPPF).

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

3. **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>

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

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 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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Item 6 (Pages 15-40) – CB/16/02972/FULL – Former Dukeminster Estate, Church Street, Dunstable

Additional Consultation/Publicity Responses

Two further objections have been received from neighbouring residents of the Priory View development. They raise the following material considerations in addition to those set out in the Officers report:

- Traffic movements observed from 305 Priory View, Church Street, Dunstable.
Thursday 11th May 7.00—9.15am Westbound 1,327 vehicles
Eastbound 1,619 vehicles
4.00---6.15pm Westbound 1,272 vehicles Eastbound 1,222 vehicle
Thursday 18th May 7.00---9.15am Westbound 1,129 vehicles
Eastbound 1,384 vehicles
4.00---6.30pm Westbound 1,449 vehicles Eastbound 1,661 vehicles
- Priory View is purpose built luxury accommodation for 100+ residents between ages 55 and 95 and should not be described as an 'Extra Care Scheme'. It is CBC's award winning, first independent living scheme in the area but the best interests of residents are not being considered.

Responses to the above matters are in the 'Considerations' section of the Officers report.

Amended Plans

Following a meeting on the 13th June 2017 between the applicants and the residents of Priory View, an amended layout plan has been received which seeks to address residents concerns regarding Flat Block 2, located in the south-west corner of the site. The amended layout shows Flat Block 2 replaced with 8 two storey dwellings which would have rear gardens backing onto Priory View. Flat Block 3 directly to the north of this has been increased in size to mirror Flat Block 4. 5 dwelling houses in the north-east corner of the site would be replaced by a part 3, part 2 storey flatted building. The overall number of units would not be changed but the mix would be changed to 125 houses and 201 flats (120 houses and 196 flats previous).

Further amended plans are due to be received which will address floor plan/elevation treatment changes as a result of the above. In light of the significance of the proposed amendments and to allow opportunity for neighbours to fully understand the changes, there will be a further 21 day consultation period once all amended plans are received.

Amended Recommendation

In light of the above it is recommended that the application be **deferred** to the next available committee meeting following expiry of the 21 day consultation period.

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Item 7 (Pages 41-86) – CB/16/05127/OUT - Land at the former Fullers Earth Quarry, Ampthill Road, Clophill, Beds

Additional Consultation/Publicity Responses

- Parish Council Email and Planning Officer comments

Dear Lisa,

Further to the Parish Council's letter dated 28th May 2017 (setting out its position to CBC in response to the documentation provided by Paul Ellingham from Mott Macdonald, dated 17^h May 2017) and your subsequent conversation with Cllr Grant Walford on 6th June 2017, please find below a series of questions that relate specifically to the concerns/objections raised by the Parish Council regarding the proposed Enabling Argument and the Land Transfer.

The Parish Council considers these two elements pivotal to the application, and believe that while they remain unanswered they pose a significant risk to CBC and the residents of Clophill. Thus, the Parish Council's view is that absolute clarity is required with regard to what Gallagher's are putting forward and committing to, along with CBC's recommendation to the DMC on the 21st June 2017 to potentially agree and enforce a mutually beneficial outcome for all parties.

The Parish Council therefore kindly requests that CBC provide a response to the questions summarised below ahead of the DMC, and also includes these questions and answers in the DMC information pack for consideration by the Committee.

- a. Is it CBC's position to insist that all of the freehold land owned by Gallagher's will transfer to a suitably qualified Partner (to return it to Public or equal ownership) except one land parcel for the development of up to 50 dwellings, which is the position of the Parish Council?

The Parish Council is concerned that all of the land owned by Gallagher's is not included within the application boundary, and requires this to be corrected prior to DMC.

In addition, the Parish Council requires that if a land parcel is reserved for the future expansion of St Mary's school, the Parish Council become the owner of the land parcel and it forms part of the Management Plan scope. Ownership of the land parcel would transfer only if and when a business case has been agreed and approved for the expansion of the school, otherwise the land parcel will remain part of the Community Parkland with the Parish Council as its custodian.

Response: The Land Transfer plan shows all the land to be transferred to a nominated party. The Land Transfer agreement sits outside of the S106 process but the S106 agreement will require the Land Transfer Agreement to be undertaken and in place prior to the commencement of any development.

b. What process (and sequence of approvals) will CBC set-out to guarantee that the entire freehold land owned by Gallagher's (except the single land parcel for residential development) will transfer to the Partner, plus the Community Parkland is created with an appropriate management model and plan in place, before any development takes place?

*The proposed indicative project programme and process submitted by Mott Macdonald (on the 17th May 2017) does not permit this. Thus, the Parish Council request that CBC and the DMC consider the **strawman process in appendix 1** (pages 3-5) as the basis for all parties to agree a process that ensures Gallagher's transfer the land and deliver the enabling argument prior to any development taking place.*

Response: As stated above the land transfer agreement will sit outside of the S106 process but clauses requiring the land transfer to take place will be included within the S106.

c. Following the transfer of the Gallagher owned land to a Partner, and the creation of the Community Parkland (on the premise of an 'Enabling Argument'), to whom will the Partner be responsible and accountable to on a day to day and strategic basis?

Specifically, if the Partner fails to meet its obligations (as defined in any agreed conditions and planning approvals) for any reason regarding the management, maintenance, and investment into the Community Parkland; and the Community Parkland consequently ceases to remain a safe, fit for purpose, compliant, and cost-effective community asset, who will ultimately be held accountable and enforce the Partner to fulfil its obligations?

The Parish Council requires clarity regarding CBC's view of the legal structure once the application has been delivered, plus CBC's proposed legislative measures to mitigate potential future risk.

Response: The owner of the land will be responsible and therefore the board of trustees for whichever trust would be responsible.

d. What measures have CBC taken to validate the key elements of Gallagher's business base that underpins the viability of the Enabling Argument?

The Parish Council request CBC confirm the measures it has taken to assure itself how Gallagher's will deliver the Community Parkland, and would reasonably expect Gallagher's to have provided documentation and information to CBC that sets out the 'what, how, and when' associated with the creation of the Community Parkland. Typically;

i. Definition (design statement) regarding what the Community Parkland will comprise of

ii. Demonstrate that its design, management, and maintenance model meets all statutory requirements, plus the requirements set out by specialist organisations such

as Ecologists, Historic England, the concerns reflected in the 724 objections, and those of the Partner

- iii. Demonstrate a robust process to qualify and appoint the proposed Partner, including its proposed resources
- iv. Confirm which Partner will be appointed, when, and on what basis
- v. Validate the capital investment (Capex) required by the Partner to create and mobilise the Community Parkland
- vi. Validate the operating costs (Opex) required by the Partner to deliver the perpetual management and maintenance of the Community Parkland
- vii. Guarantee that the Capex and Opex required by the Partner is ring fenced by Gallagher's
- viii. A developed mobilisation plan and programme
- ix. Develop and agree a Service Agreement that sets out the service level agreements and key performance indicators (SLAs and KPIs) that the Partner will perform to with regard to its management and maintenance activities
- x. Develop and agree a Service Contract that sets out the obligations of the Partner with regard to governance and reporting, plus includes standard contract clauses such as liabilities, insurances, indemnities, change control, escalation, audit, and step-in rights.

Response: The land transfer agreement would cover many of these aspects – the application sets out the description and work to be undertaken in terms of the community parkland and any variation to that set out in the application would require a new application.

e. Once the Community Parkland has been created, is it CBC's intention to include it as part of its Open Space and Greenspace strategy? And if so, on what basis?

Response: This decision has not been made and would be for the Green Infrastructure Officer to consider. When the Strategy is revised/ updated it may be that the land is included and any reasons for doing this would be set out at that time.

The Parish Council has worked collaboratively with Gallagher's for over 18 months, and has been completely open, transparent, and consistent with regard to the conditions that would need to be met in order for the Parish Council to support the application on the premise of an Enabling Argument. Furthermore, the residents of Clophill demand that there is no ambiguity in any agreement which will see Gallagher's provide 'Community Parkland' in return for up to 50 dwellings.

It remains the Parish Council's desire to agree a robust process with clear and appropriate conditions that will deliver the proposed Community Parkland in return for a residential development of up to 50 dwellings. This must of course be delivered in a risk-free manner to both CBC and the residents of Clophill, which the Parish Council believe will be resolved once CBC and

Gallagher's are able to demonstrate a clear and positive response to the above questions.

The Parish Council believe that if CBC and the DMC are unable to provide clear answers to the above questions, then the risk to CBC and the community of Clophill would far outweigh any benefit. Should this be the case (at the DMC hearing on the 21st June) the Parish Council would respectfully request that the decision-making process is deferred until Gallagher's is able to provide the necessary documentation and assurances.

Response: The recommendation to the DMC is to resolve to approve the application subject to a satisfactory S106 agreement the draft heads of terms has been set out in the report and the legal ties would be negotiated and covered in that process.

- Greensand Trust

We fully support the application made by Gallaghers, as being the long sought-after opportunity to finally resolve the issue of the Lakes. We or other suitable organisation would need to continue to work with Gallaghers post planning decision to further improve what may be an acceptable plan, into a sustainable one that takes in to consideration future growth. Actions that should be achievable through section 106 and additional applications by said organisation.

- Public Representation – Clova Cottage, 8 Mill Lane, Clophill

Planning Application No CB/16/01527/OUT Land at the former Fullers Earth Quarry site

I am writing this letter in response to the proposed planning application by Gallagher Estates to build 50 houses adjacent to the former Fullers Earth pits at Clophill, and to turn the site into a public Country Park, and object strongly to this proposal.

On Saturday 10th June 2017, a female otter and 2 cubs were sighted on the lakes, which demonstrates that this site is prime otter habitat, and that they will require further protection and as little disturbance as possible in the future. This site has very important ecological and biodiversity significance, and both otters and badgers need seclusion for their holts and setts for foraging, feeding and breeding.

The badgers and otters and other important wildlife present on and around this site should not be allowed to suffer from any human disturbance of any kind, and require full protection under the Wildlife and Countryside Act of 1981.

In view of this fact, further ecological surveys should be carried out over the next 2 years to record and ascertain what other significant species are actually present on this site, and in the future the site should be managed by the Greensand Trust for the benefit of wildlife and biodiversity.

The badger setts also located near to the proposed housing development will be seriously affected by any human disturbance and must have a buffer zone of at least 30 metres from the existing fence line and hedge.

Response: The Council's Ecologist is aware of the representation. Condition 3 will be amended to include a requirement for updated species surveys as necessary to inform the Landscape and Ecological Management Plan.

- Public Representation – 95 High Street Clophill

Dear Councillor,

I wrote to Andrew Davie on 19 November 2016 in regard to the above about my concerns, particularly the letter I received from DCLG stating:

"The authority (local authority) is entitled to say no to development that would run counter to the Local Plan or not be in the interest or not be compatible with the sound planning of the area."

My reasons are justified and I call upon all members of the committee to reject this planning application on the grounds stated and ignore the summary recommendations copied in my other attachment. Most of your colleagues are in rural parts of Central Beds and you must please listen to the despair of your village residents who are finding great difficulty driving to work or driving socially along the only two roads that can be travelled along to their destination, namely the A507 and A6.

As I mentioned to Mr Davie, you will be encouraging an unprecedented amount of traffic on these two roads on top of what exists now, all accumulating at the "Flying Horse" roundabout, stretching back miles in all directions at all material times. The planning programme of housing development abutting nearly all our villages is now beyond a joke and you must listen to your conscience and reject this planning application.

Additional Comments

Land Transfer Agreement and S106 Heads of Terms

To clarify the Land Transfer Agreement will be entered into prior to any development commencing on site, however, the final transfer of land will not take place until after the capital works have taken place and a period of 12 months to ensure that the capital works have taken place satisfactorily.

Biodiversity

The report and condition 19 currently refer to a badger mitigation corridor. Following further discussions and concerns over anti-social behaviour and potential for unwelcomed interest in the badgers, it is considered that this may no longer be the best approach. Therefore, a variation to condition 19 is proposed to allow for the submission of a badger mitigation scheme this will

allow a broader scope in terms of badger mitigation and will still ensure proper consideration of the badger sett during construction and within the reserved matters submission.

Additional/Amended Conditions

Condition 3

No development shall commence until a Landscape and Ecological Management Plan to be informed by updated species surveys as required, has been submitted to and approved by the Local Planning Authority. The development shall then be managed and maintained in accordance with the approved details.

Reason: Details are required prior to commencement to ensure an acceptable management of the landscape and to enable proper consideration of the impact of the development on the contribution of nature conservation and ecology in accordance with Policy DM14 of the Core Strategy for the North and Section 7 & 11 of the NPPF.

Condition 19

No development shall commence until a badger mitigation scheme, including a method statement in relation to construction, has been submitted to and approved in writing by the Local Planning Authority. The details of the scheme shall be taken into account in the submission of any reserved matters application and the scheme shall be carried out in accordance with the approved details.

Reason: Details are required prior to commencement to ensure an acceptable management of the landscape and to enable proper consideration of the impact of the development on the contribution of nature conservation and ecology in accordance with Policy DM14 of the Core Strategy for the North and Section 7 & 11 of the NPPF.

Item 8 (Pages 87 - 102) – CB/17/01619/FULL – Land to the rear of Silver Birch Avenue, Aspen Gardens and Alder Green, Stotfold

Further Consultation Responses

Town Council

This conflicts with Nation Planning Policy Framework policy guidance on 'Conserving and Enhancing the Natural Environment' (Section 1.1). Paragraphs 109 (page 25) and 112 (page 26) are of relevance to this assessment of agricultural land quality and soil and state that:

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

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

There is a planning history for the area going back several years, all of those outside the Settlement Envelope have been refused for reasons such as 'the proposed development would form an unwanted intrusion into an area of open and undeveloped land and would be detrimental to its appearance and rural character' and 'it would form an intrusion into open countryside outside the Settlement Boundary and be contrary to the policy NE3'

Consultation responses

20 further responses have been received, including a detailed report by Parker Planning Services, instructed by some residents, which raise concerns on the following topics (a number of which relate to the planning application for housing rather than this application):

- The principle of the development
- The agricultural use of the land
- Site layout and character
- Green Infrastructure
- The sustainability of the development
- Ecology and trees
- Flood risk and drainage
- Highways and traffic generation
- Consultation by the applicant
- Relevant appeal decisions
- No need for recreation space in this location
- Tax payers will need to upkeep it
- Only submitted to allow housing application
- The Council can meet its housing need
- Concerns relating to the previous application have not been overcome

- Noise and disturbance
- Proximity to the A1 could cause ill health
- No community benefits
- Consultation inadequate

Item 9 (Pages 103 - 150) – CB/17/01642/FULL – Land to the rear of Silver Birch Avenue, Aspen Gardens and Alder Green, Stotfold

23 further responses have been received, including a detailed report by Parker Planning Services, instructed by some residents, which raise concerns on the following topics:

- The principle of the development
- The agricultural use of the land
- Site layout and character
- Green Infrastructure
- The sustainability of the development
- Ecology and trees
- Flood risk and drainage
- Highways and traffic generation
- Consultation by the applicant
- Relevant appeal decisions
- No need for recreation space in this location
- Tax payers will need to upkeep it
- The Council can meet its housing need
- Concerns relating to the previous application have not been overcome
- Noise and disturbance
- Proximity to the A1 could cause ill health
- No community benefits
- Consultation inadequate
- Existing infrastructure poor
- Poor relationship with the settlement

Conditions

The following additional condition should be added:

Any application for the approval of reserved matters shall not show built development (other than garages or sheds) outside of the area marked on plan number T.0298_02 rev Q as the 'Built Form Extent'.

Reason: To ensure that the appearance of the development, its relationship with neighbours and the contribution made towards local green infrastructure would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

S106

Contributions towards education provision should be:

EY	£65,675.40
Lower	£218,918.00

Middle	£220,284.48
Upper	£270,127.10
Total	£775,004.98

***Item 10 (Pages 151 - 198) – CB/16/05887/OUT – Land opposite
The Lane & Lombard Street, East of Marston Road, Lidlington***

The applicant has made a submission in support of the application, which is appended to the Late Sheet.

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Appendix A

Millbrook, Bedford, MK45 2JQ, UK

www.millbrook.co.uk

STATEMENT OF ECONOMIC BENEFITS

May 2017

Outline Planning Application: CB/05887/OUT

Land Opposite The Lane & Lombard Street, East of Marston Road, Lidlington



Introduction

1. This Statement has been prepared by the applicant, Millbrook Proving Ground Limited ("Millbrook", or "the Company") to provide additional detail to that included in previous correspondence submitted to the Council (letter from Millbrook President Alex Burns dated 15th December 2016; and letter from Simon James, DLP Planning dated 7th February 2017).
2. The purpose of this Statement is to explain the likely benefits that would accrue from the development of the land, contingent upon planning permission being granted on the terms sought in the application and accompanying draft S106 Obligation, in terms of both future investment and potential job creation, at Millbrook Proving Ground itself, and also the local economy more widely.

Spectris Plc Acquisition of Millbrook Proving Ground Ltd

3. In September 2016 Millbrook was acquired by Spectris plc from the previous owners, Rutland Partners. Spectris is a UK-based listed company and a leading supplier of productivity-enhancing instrumentation and controls to the international market. It has four key business segments; Test & Measurement (into which Millbrook falls); Materials Analysis; In-Line Instrumentation; and Industrial Controls.
4. Millbrook continues to maintain its own identity as a limited company, with its base in Central Bedfordshire, and has its own ambitious growth plans.
5. Spectris acquired Millbrook because it provides a strong UK-based platform on which it can grow a substantial test services business. Spectris is currently evaluating a number of growth opportunities at Millbrook and has committed to invest £20million in the facilities in 2017, with further investments to follow in subsequent years.

Site Valuation

6. The application site, whilst outside of the Company's defined operational zone, is nonetheless part of the Key Employment Area, as defined in planning policy. As part of the review of the landholding leading up to the submissions of the application for development of the Technology Park (Ref CB/14/02490/OUT), it was decided, on balance, that the land was more suited to residential development, this notwithstanding its policy reference as a Key Employment Site. Moreover, and again notwithstanding its policy allocation, the Company sees the site as contributing to the investment package being put into place at Millbrook to support its continued growth and expansion in what is a competitive global market.



7. As the site is without formal use, and indeed elements have become derelict (the scout hut), the Company wish to make beneficial use of the land in a manner that both responds to the local environmental context, will provide community benefits and also will provide to the Company welcomed capital to support further investment and additional job creation.
8. Initial valuation of the development site, assuming a grant of outline planning permission on the terms sought, suggests the **sale of the land would generate in the region of £3-4 million**. This is a net figure taking into account contributions being made to other community focused benefits and requirements, inter alia:
 - Provision of 35% on-site affordable housing;
 - Early Years, Lower, Middle and Upper School Education contributions;
 - Contribution to enable a Junction Assessment of the Lidlington A507 (Woburn Road) and Bury Ware Road junction;
 - Leisure Centre Contribution;
 - Railway Improvement Works contribution;
 - Contribution towards improvements to the existing recreation ground in Lidlington;
 - A contribution towards the maintenance as the Scout Hut Land as open space; and
 - Contribution towards the improvements to the existing sports pavilion in Lidlington;
9. At this stage this is an initial valuation based on current general values and costs but without the benefit of detailed inputs (e.g. ground conditions etc) that would serve to refine it either up or down. Irrespective of this however the Company is committed to investing 100% of the capital receipt into its *Capital Investment Programme*.

Capital Investment Programme

10. Millbrook's *Capital Investment Programme* includes a number of projects and improvements over the next 5 years intended to maintain and enhance the Company's competitive advantage as one of the world's leading vehicle test and development centres. These comprise a series of both stand-alone and integrated projects, some of which are commercially highly sensitive.
11. Millbrook can confirm that 100% of the sum raised from the sale of the residential land is to be added directly to Millbrook's *Capital Investment Budget*, and then used for the development of new projects within the proving ground as set out in the Capital Investment Programme¹. Confirmation of this has already been made in a letter from the Millbrook President, Mr Alex Burns, submitted as part of this application (dated 15th December 2016) in which he confirms the intention to use the proceeds from the sale of the land to advance planned developments on the main operational site. The benefits of this, in terms of job creation, are elaborated on below.

¹ For reasons of commercial sensitivity it is not possible to publically disclose the company's Capital Investment Programme.



Direct Job Creation

12. The projects set out within the *Capital Investment Programme* will increase the number of direct jobs on the Millbrook site. It is possible to broadly calculate the number of jobs likely to be created by £3-4m of additional capital investment by looking at past trends in terms of the relationship between Capital Expenditure and job creation.

Millbrook Occupied Facilities

13. To calculate the average number of jobs created by capital expenditure projects, we have looked specifically a number of Powertrain facility projects that are planned for the next 12-18 months. These will create new facilities for testing engines, complete powertrains and whole vehicles. The investment will be £18m and the projects will create 27 new direct jobs, giving 1.5 direct jobs per £1m investment.
14. It should be noted that the above simply relates to new direct jobs created, it does not consider those existing jobs safeguarded by the investment projects listed.

Third Party Occupied Facilities

15. Millbrook's *Capital Investment Programme* also includes projects that are built within the Proving Ground, but leased by other third party companies who operate in the same industry (or similar) and benefit from being located within the Proving Ground. An example of this is the buildings rented out on short term leases to automotive/transport companies such as UK-based premium vehicle manufacturers and SMEs working on driverless vehicles (expected to be a growing sector at Millbrook).
16. Historically, the leasing of site facilities within the Proving Ground has produced substantially higher levels of employment than those run directly by Millbrook. This is a result of the fact that leaseholders bring new highly skilled and specialised workforces to the site, whereas facilities run by MPG may transfer and retain existing employees across the site. These engineers, also, often relocate to the Central Bedfordshire area, or use local accommodation and facilities whilst working at MPG.
17. In this model, a workshop/office complex, with conferencing rooms, passenger car workshops and large vehicle workshops would cost circa £3million to build.
18. In terms of jobs created, the rental tenants would bring a different number of engineers to site depending on where the vehicle is in the development cycle, however, it is reasonable to average this at 3 engineers per vehicle, with a standard workshop having a capacity to accommodate 10 vehicles.



19. On that basis each facility could reasonably be expected to host 30 staff, equivalent to 10 staff per £1m capital expenditure. With occupancy at any one point in time typically 70%, this would equate to **7 jobs per £1m of investment coming into the area.**

High Skilled Jobs

20. It is important to emphasise that the vast majority of jobs created by capital investment in the Millbrook site will be **highly skilled and well paid jobs**. Typically, most engineers employed in the new facilities created will be **qualified to degree standard and earn in the region of £45-75k per annum.**

Indirect and Induced Jobs

21. In addition to direct jobs created by the capital investment programme, new building projects are known to create a number of indirect and induced jobs.
22. **Indirect jobs** are jobs that are an output of additional activities made possible by the project, but not as a direct output of the project itself. A common example of this would be construction jobs.
23. **Induced jobs** are additional jobs flowing from the wider beneficial effects of the project that fall outside the direct and indirect jobs. For instance jobs that are created or supported within local shops as a result of increased expenditure by those employed directly within the facility.
24. As a broad indication of the likely rate of indirect and induced job creation produced by the *Capital Expenditure Programme*, we can draw on the Standard Economic Appraisal that was prepared to support the planning application for the approved Millbrook Technology Park (CB/14/02490/OUT).
25. The Technology Park application had an estimated construction cost of £61 million and was predicted in 2014 to lead to 279 indirect construction-related jobs. **This can be translated to 4.6 construction jobs per £1m capital investment.**



Summary of Economic Benefits

- Assuming outline planning permission for up to 40 dwellings, the Land Opposite the Lane & Lombard Street, East of Marston Road, Lidlington, is estimated to be worth in the region of £3-4 million.
- This sum will be invested directly into Millbrook's Capital Investment Budget.
- The company's Capital Investment Programme, to be approved by Spectris Plc, includes a number of projects that will help maintain and improve MPG's competitive advantage as one of the world's leading vehicle test and development centres.
- A typical project for use by MPG can be expected to generate 1.66 additional direct jobs per £1m invested. A capital investment of £4m could therefore be expected to generate 6.64 additional direct jobs for MPG.
- A typical project for lease can be expected to generate 7 additional direct jobs per £1m invested. A capital investment of £4m could therefore be expected to generate 28 additional direct jobs in non-MPG employment within the MPG site.
- A typical project can also be expected to generate a further 4-5 indirect construction related jobs per £1m invested. A capital investment of £4m could therefore be expected to generate up to 20 additional indirect construction jobs.
- Most direct jobs created are likely to be highly skilled and highly paid and will result in additional induced jobs in the local economy.
- A capital investment of £3-4m will help safeguard existing highly skilled jobs at Millbrook Proving Ground.
- It will also continue to help to attract some of the world's leading companies to do business in Central Bedfordshire.

Signed:

A black rectangular box redacting the signature of Alex Burns.

Alex Burns
President

Item 13 (Pages 243 - 262) – CB/17/01089/FULL – Oak Bank School, Sandy Lane, Leighton Buzzard, Beds

Additional Consultation/Publicity Responses

The Public Protection Officer has reviewed the application and has recommended the following condition:

1. Prior to the use hereby permitted first being brought into use the applicant shall submit for approval in writing details of the work done to mitigate risks from land contamination.

Reason: To ensure that any potential landfill gas and ground instability problems are investigated before the building is first brought in to use (Policy BE8, SBLPR & Section 11 NPPF)

Additionally, the applicant has sent further information in respect of drainage and as such, the SUDS team have agreed for conditions 4 & 5 to be removed and the following informatives added:

1. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
2. Construction and maintenance should be carried out in line with the drainage strategy (July 2016), revised drainage calculations and plans provided. Any changes to these plans should be resubmitted for approval by the LPA.
3. We will expect that any components that require replacement and/or maintenance will be designed to be accessible without undue impact on the drainage system and adjacent structures or infrastructure

Additional Comments

The following typo amendments to para 4.1:

There are no changes ~~are~~ proposed to the existing means of access to the highway and as the previously proposed community use is now not planned, the proposals would **not** impact upon the level of the available car parking on the site.

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**Item 14 (Pages 263 - 274) – CB/16/04384/REG3 – Lancotbury Close
Amenity Land, Totternhoe**

Additional Information

There will be no representative to speak in support of the application, instead, the following supporting information has been provided:

1. There is no visible evidence that any of the existing garages are being used to garage cars overnight. Their width is 2.1m, which is too narrow for most modern vehicles. Nor are the frontages being used either – the row adjacent to number 4 have insufficient curtilage anyway, at 3.5m. If a vehicle did park here it would obstruct the entirety of the footway.
2. There are 35 properties in total around the green. Of these only 5 currently (14%) have off-street parking (nos. 5a, 5, 24, 28 and 29). For most of the properties there is no realistic way of providing off-street parking because of the topography of the land, specifically nos. 7 through to 22.
3. If you applied CBCs parking standards then you would expect there to be a minimum provision of 78 spaces on the assumption that every property is 2 bed and excluding any provision for visitors. When measuring the available kerb space there room for only 23 cars in addition to the 10 that can be parked off-street. This is woefully short of our own standards and it is little wonder that people are parking all over the green. The application will help alleviate some but not all of the pressures and it is unfair to judge it on the basis of objections from residents who have parking within the curtilage of their properties.
4. Whilst on site I spoke to one of the residents at the eastern end. Of the six properties here that front the green, none have 'formal' off-road parking (though most do so illegally). The resident has four cars and in total her adjacent 5 neighbours have a further 10. That is 14 cars vying for the available 4 spaces on road in the section that fronts their properties. She would like us to be more ambitious and to provide further parking on the green area that fronts nos. 30-36.

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