

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** 22 November 2018

## **NOTICE OF MEETING**

### **DEVELOPMENT MANAGEMENT COMMITTEE**

Date & Time

**Wednesday, 5 December 2018 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 C Gomm, K Janes, T Nicols, T Swain and J N Young

[Named Substitutes:

Cllrs D Bowater, Mrs C F Chapman MBE, S Dixon, Ms C Maudlin, A Ryan, P Smith 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 meetings of the Development Management Committee held on 12 September 2018 and 7 November 2018 (**copies to follow**).

4. **Members' Interests**

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

## 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**

5. **Planning Application No. CB/18/00181/FULL (Arlesey)**

**Address:** Land rear of 133 & 135 Station Road, Lower Stondon, Henlow, SG16 6JJ

Demolition of 133 & 135 Station Road, Lower Stondon and erection of 149 residential dwellings (including 3 custom built plots and 52 affordable housing units) with associated access, road, parking, LEAP and amenity space. Construction of surface water attenuation basin and associated pumping station and provision of 0.12ha of land for community facility.

**Applicant:** DLA Town Planning Ltd

6. **Planning Application No. CB/18/02373/OUT (Stotfold & Langford)**

**Address:** Loft Farm and west of Church Street, Langford, Biggleswade, SG18 9QA

Outline planning application for up to 95 dwellings and associated public open space, with all matters reserved except for access.

**Applicant:** Rosconn Strategic Land

7. **Planning Application No. CB/18/02484/FULL (Westoning, Flitton & Greenfield)**

**Address:** Land off Greenfield Road, Flitton, Bedford, MK45 5DR

Residential development of 24 dwellings with associated open space, landscaping and access off Greenfield Road.

**Applicant:** GPS Estates Ltd

8. **Planning Application No. CB/18/02832/FULL (Amphill)**

**Address:** 55 Woburn Street, Amphill, Bedford, MK45 2HX

Erection of two storey rear extension.

**Applicant:** Ms Whitehead

9. **Planning Application No. CB/18/02831/LB (Amphill)**

**Address:** 55 Woburn Street, Amphill, Bedford, MK45 2HX

Erection of two storey rear extension.

**Applicant:** Ms Whitehead

10. **Planning Application No. CB/17/05518/MW (Caddington)**

**Address:** Secondary Aggregate Recycling Plant, Herons Farm, Mancroft Road, Aley Green, Luton, LU1 4DR

Store materials at a height of 5 metres for a temporary period of two years as a variation to the height restriction attached to Lawful Development Certificate issued on 3<sup>rd</sup> December 2010 (retrospective).

**Applicant:** Mr Sayers

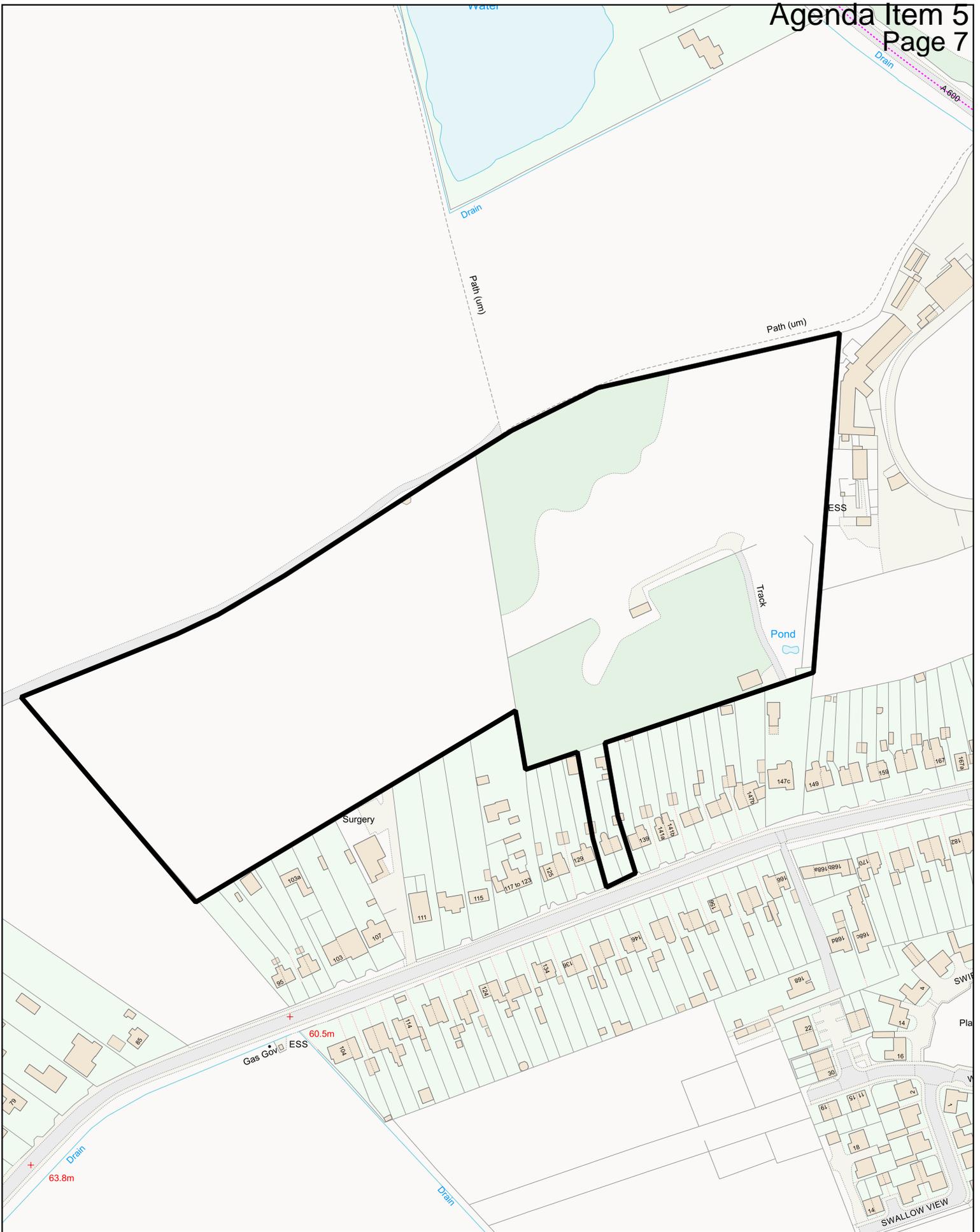
11. **Late Sheet**

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 **4 December 2018**.

12. **Site Inspection Appointment(s)**

Under the provisions of the Members' Planning Code of Good Practice, Members are requested to note that the next Development Management Committee will be held on **9 January 2019** and the Site Inspections will be undertaken on **7 January 2019**.

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Date Created  
19-11-2018

Application No.  
CB/18/00181/Full

Land Rear of 133 & 135 Station  
Road, Lower Stondon, Henlow,  
SG16 6JJ

Crown Copyright and database  
right. 2018  
Ordnance Survey 100049029  
Central Bedfordshire Council.

Cities Revealed Aerial  
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The GeoInformation Group 2017



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**Item No. 5**

<b>APPLICATION NUMBER</b>	<b>CB/18/00181/FULL</b>
<b>LOCATION</b>	<b>Land rear of 133 &amp; 135 Station Road, Lower Stondon, Henlow, SG16 6JJ</b>
<b>PROPOSAL</b>	<b>Demolition of 133 &amp; 135 Station Road Lower Stondon and erection of 149 residential dwellings (including 3 custom built plots and 52 affordable housing units) with associated access, road, parking, LEAP and amenity space. Construction of surface water attenuation basin and associated pumping station and provision of 0.12ha of land for community facility.</b>
<b>PARISH</b>	<b>Stondon</b>
<b>WARD</b>	<b>Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dalgarno, Shelvey &amp; Wenham</b>
<b>CASE OFFICER</b>	<b>Donna Lavender</b>
<b>DATE REGISTERED</b>	<b>12 January 2018 (EOT until 6th Dec 2018)</b>
<b>EXPIRY DATE</b>	<b>13 April 2018</b>
<b>APPLICANT</b>	<b>C/O Agent</b>
<b>AGENT</b>	<b>DLA Town Planning Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Major Application &amp; Departure from Development Plan with a retained Parish Council Objection</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

**Reason for Recommendation:**

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be significantly out-weighted by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

### **Site Location:**

The site consists of residential properties 133 & 135 Station Road and land directly to the north of Station Road comprising of approximately 6 ha of arable land. The site is flanked by the Greyhound Stadium to the east, by residential properties 95-147 Station road to the south and by arable land to the west and north.

The site is located outside of the settlement boundary for Lower Stondon and as such is regarded as open countryside.

### **The Application:**

Permission is sought in full for the demolition of 133 & 135 Station Road to gain associated access and for the erection of 149 residential dwellings (including 3 custom built plots and 52 affordable housing units), parking, LEAP and amenity space. Construction of surface water attenuation basin and associated pumping station and provision of 0.12ha of land for community facility.

The overall density for the site would be approximately 30 dwellings per hectare over the developable area of the site.

In terms of the provision of dwellings, the scheme would provide the following accommodation mix:

#### Market Housing

6 x 2 beds (Bungalows)  
8 x 2 beds (2 storey)  
26 x 3 beds (2 storey)  
10 x 3 bed (2.5 storey)  
23 x 4 beds (2 storey)  
8 x 4 beds (2.5 storey)  
Total of 97 market houses

#### Affordable Housing

8 x 1 beds  
27 x 2 bed  
16 x 3 beds  
1 x 4 bed  
Total of 52 affordable units

A total of 35% affordable units has been provided for in accordance with policy requirements.

The units proposed would consist of mix of bungalows, two storey and two and a half storey dwellings. The materials schedule details that the external materials would

comprise of a mixture of red and buff bricks and mix of brown and slate grey roof tiles. There would also be a variety in window treatments with a combination of varied window designs & detailing and porch canopy variations include both flat roof and mono pitch roof designs.

The majority of vehicle parking would be on plot, although there would be some displacement on street parking to avoid a triple tandem parking provision where possible. Where garages are proposed, these would meet the dimensions within the Councils Central Bedfordshire Design Guide. Visitor spaces are provided in most cases opposite locations where there is a perceived demand and where displacement parking is provided.

For recycling and refuse collection, the houses would have rear storage areas and access from rear gardens in order to bring bins to the front of the properties on collection day. Some of the occupants would have to bring their bins to a communal collection point on refuse and recycling collection days but the majority would receive kerbside collection.

The boundary treatment proposed between most plots would be 1.8m close boarded fencing with some 1.8m screen walls on end/corner locations. 450mm knee rail is proposed adjacent the open space areas.

A pedestrian link is proposed from internal open spaces areas to the public footpath network beyond the site. A LEAP facility would be located central to the site with equal distance to travel for both existing and proposed residents. In addition a parcel is proposed for a community facility for the parish just to the rear of the existing doctors surgery with associated planned parking provision. Landscape buffers and associated green infrastructure routes run along the northern, eastern and southern boundaries of the site and the road would directly adjoin the east and west boundary to future proof connectivity with the remainder of the future allocation.

The application is accompanied with the following statements:

- Air quality Assessment
- Arboricultural Assessment
- Archaeological Assessment
- Desk Study & Site Investigation Report
- Ecological Appraisal
- Flood Risk Assessment
- Geophysical Survey Report
- Historical Desk Based Assessment
- Landscape Visual Impact Assessment
- Noise Assessment
- Design & Access Statement
- Planning Statement
- Lighting Assessment

- Statement of Community Involvement
- Transport Assessment and Residential Travel Plan

*The site and development has been considered in relation to the EIA regulations (2017) and is below the threshold for the requirement of an Environmental Statement.*

#### **RELEVANT POLICIES:**

##### **National Planning Policy Framework (NPPF) (July 2018)**

- 2- Sustainable Development
- 8 – Promoting healthy communities
- 9 – Promoting sustainable transport
- 11- Effective Use of Land
- 12 - Achieving well designed places
- 13 - Green Belt
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

##### **Core Strategy and Development Management Policies - North 2009**

- CS1: Development Strategy
- CS3: Healthy and Sustainable Communities
- CS4: Linking Communities - Accessibility and Transport
- CS5: Providing Homes
- CS7: Affordable Housing
- CS9: Providing Jobs
- CS14: High Quality Development
- CS15: Heritage
- CS16: Landscape & Woodland
- CS18: Biodiversity
- DM3: High Quality Development
- DM4: Settlement Envelopes
- DM10: Housing Mix
- DM13: Heritage in Development.
- DM14: Landscape and Woodland
- DM15: Biodiversity

##### **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

HA1: Small and Medium Allocations  
H1: Housing Mix  
H2: Housing Standards  
H3: Housing for Older People  
H4: Affordable Housing  
H7: Self and Custom Build  
SP2: Sustainable Development  
T2: Highway Safety & Design  
T3: Parking  
CC5: Sustainable Drainage  
HQ1: High Quality Development  
EE1: Green Infrastructure  
EE2: Biodiversity  
EE4: Trees, Woodlands and Hedgerows  
EE13: Outdoor sport, leisure and open space  
CC1: Climate Change and Sustainability  
HQ2: Planning Obs & CIL  
HQ3: Social and Community Infrastructure

### **Supplementary Planning Guidance/Other Documents**

1. Central Bedfordshire Design Guide (March 2014)
2. Central Bedfordshire Sustainable Drainage Guidance (May 2015)

### **Relevant Planning History:**

**Application Number** CB/17/00938/PAPC

Description Pre Application non Householder Advice: Residential  
Development of 150 dwellings including access

Decision Pre-application advice released

Decision Date 05.04.2017

### **Parish Council:**

Stondon Parish Council RESOLVED that we OBJECT to this application

(*Verbatim*):

The site is situated outside the settlement envelope and is only a small part of the overall site being considered in the

local plan. As such we consider that this application is rushed, offering minimal community benefits, lacks suitable access points and highways infrastructure as well as inappropriate for the location.

Housing growth

The following items are planning applications that are being considered by CBC and NHDC. They could potentially 374 houses to Stondon and Henlow Camp, excluding the impact of the closure of the camp.

Hillside Road approx.	40	Feb	2018
CB/18/00223/OUT			
Bloor phase 1 approx.	149	Jan	2018
CB/18/00181/FULL			
Barrett phase 1 Outside the parish/NHDC houses Aug 2017			185

The following applications have already approved

Welbeck	85 houses	10/11/16	Approved	June	2017
CB/16/05229/OUT					
Bovis Stondon Park Phase 2	80 houses	30/6/16	Approved	Nov	2016
CB/16/02314/FULL					
Transport Museum	25 houses		Approved		2016
CB/16/03105/OUT					

The Parish Council has also been approached by developer suggesting they would like to develop over 240 units on the edges of the village but with little in the way of gain or community infrastructure. The sites will also create a range of issues for the community and sit outside those proposed by the local plan.

Stondon seems to a target for aggressive developers and we want a line drawn. While this is a small section of a bigger site, it is being considered the Bloor application and represents about 40% of the area. As a community we want to see a complete holistic plan drawn out for this area and its impact on the village and its infrastructure.

Local Plan site. While this site is part of the draft Local Plan (2018) it is only part. By breaking the larger area into smaller units it creates problems with traffic management, look of the site and is likely to create three different sites. Each creating issues with traffic into Station Road. We

want this to be treated as one site and to create a complete plan with suitable community gains.

Environmental - There are environmental concerns in relation to the Dog track. There are new kennels housing 75 residential dog and the vastly increased number of 50 races a week. This will increase the noise, smell and related waste management issues. This aspect has not considered and would expect a 20m gaps of gardens or housing along with appropriate noise abatement schemes.

Highways - we have a number concerns. Starting with the additional issues with an overburdened highway network, mainly Station Road but also the A600/A507 and A600 into Hitchin. Without an overall plan this will create even more problems with the Station Road interface with the A600 around the Bird in Hand and the Post Office/Chemist.

We want to see a complete solution proposed that accommodates suitable access points both entering and leaving this development that would include a direct access onto Bedford Road to be included as part of the proposed plans. This would go some way towards relief of the congestion on Station Road.

#### Transport Plan

There is an acute lack of detail on public transport and does not offer anything to alleviate the problems faced to potential residents on personal transport. No cycle ways around the village nor any detail on how resident can access local transport hubs such as railways stations. This is going to lead to an increased need for car transport and associated environmental impacts.

No details have been provided on how they will support EV charging for home owners.

MDBA - This site has a licence with a limit on it of 10,000 vehicles a day and currently it is indicated the volume is about 13,000. This does not include the extra traffic coming from Bovis and Welbeck. The loss of their licence to operate could have an impact on employment opportunities in the area.

Community gain - They have offered to provide the community with a 0.43 ha plot of land but no indication of anything else. Other developers have offered and provided significantly more for less units.

The size of the area needs to be significantly greater with funding to support the development of a sports hall or suitable facilities.

Water and Sewerage. The local resources have been stretched to the limit and beyond. The sewerage system can't cope with the increased volume of all the developments and the water supply is struggling and there have been a number of breaks in the supply with the increased volumes of water required.

Objection retained following reconsultation:

The site is situated outside the settlement envelope and is only a small part of the overall site being considered in the local plan. As such we consider that this application is rushed, premature and inappropriate for the location.

The following items are planning applications that are being considered by CBC and NHDC. They could potentially provide 374 houses to Stondon and Henlow Camp, excluding the impact of the closure of the camp.

Hillside Road approx. 40 Feb 2018

CB/18/00223/OUT

Bloor phase 1 approx. 149 Jan 2018

CB/18/00181/FULL

Barrett phase 1 Outside the parish/NHDC

144 houses Aug 2018

The following applications have already been approved

Welbeck 85 houses 10/11/16 Approved June 2017

CB/16/05229/OUT

Bovis Stondon Park Phase 2 80 houses 30/6/16

Approved Nov 2016

CB/16/02314/FULL

Transport Museum 25 houses Approved 2016

CB/16/03105/OUT

Stondon seems to a target for aggressive developers and we want a line drawn. While this is a small section of a bigger site, it is being considered the Bloor application and represents about 40% of the area. As a community we want to see a complete holistic plan drawn out for this area and its impact on the village and its infrastructure.

This site is part of the draft Local Plan (2018) but it is only part. By breaking the larger area into smaller units it creates problems with traffic management, the look of the site and is likely to create three different sites each of which will create issues with traffic into the already congested Station Road. We want this to be treated as one site and to create a complete plan with suitable community gains.

We recognise that Bloor have taken on board the comments about creating connections points in the new plans to sites proposed in the local plan we still feel it could be premature and would like to see a more complete plan for the three sites.

Environmental - There are environmental concerns in relation to the Dog track. There are new kennels housing 75 residential dogs, and the number of races are set to increase significantly to 60 a week. This will increase the noise, smell and related waste management issues as well as increased traffic. This aspect has had some consideration in the revised site plan but we are not sure that the additional gaps to the gardens or housing along with appropriate noise abatement schemes is enough.

In addition, the lighting levels with the additional races (which carry on all year round) will add to the local light pollution issues. The light report undertaken by the developer was in late Spring and therefore does not consider ambient light conditions during late autumn, winter and early spring.

#### LEAP and Kick-about Area

We note that while the LEAP is now more central (an improvement) the Kickabout area has gone. We have stated previously that Stondon has limited sports opportunities and areas such as these are vital to the health of the community and would like to understand how is being accommodated.

The interconnecting pathways around estate are needed to improve the community feel for the development but we are concerned that some areas are missing them. However, we feel that this may lead to them being used by speed bikes around some sections with bollards need to be incorporated within the plans. Again poorly thought through at this level of detail shows the plans as being rushed.

Highways - we have a number concerns. Starting with the additional issues of an overburdened highway network, mainly Station Road, the A600/A507 and A600 into Hitchin are very congested particularly at peak times of the day. Without an overall plan this will create even more problems with the Station Road interface with the A600 around the Bird in Hand and the Post Office/Chemist where there is grossly inadequate parking. In addition, and given all the existing developments a better transport plan is required which improves cycleways and works to increase frequency and connectivity of the local bus services to lower the impact of additional car journeys.

MDBA - This site has a licence with a limit on it of 10,000 vehicles a day and currently it is indicated the volume is about 13,000. This does not include the extra traffic coming from Bovis and Welbeck. This could have an impact on the loss of employment in the area.

Community gain - The offered to provide the community with a 0.43 ha plot of land but no indication of anything else. Other developers have offered and provided significantly more for less units. We plan to meet with them to discuss the weakness of their offer.

Based on the new design it is unclear which spaces will need maintenance and while the PC is interested in managing the green space element we do not want to over commit to this additional burden. We would want to see which parts would be passed over for management/boundaries.

Local resources have been stretched to the limit and beyond.

From the Welbeck planning approval, it has already been identified that the sewerage system cannot cope with the

increased volume of all the current developments. The Doctors surgery while gaining from some S106 monies is running at over-capacity and the Practise is struggling to get the Beds CCG to commit to supporting its expansion. Beds CCG is proposing new patients travel to a new Surgeries yet to be built or staffed in Arlesey thereby increasing car transport on the local road network.

The Parish Council is disappointed at a local level that Bloor Homes have not offered to meet with us to discuss the plans further and provide additional explanation on the changes made.

Henlow Parish Council  
(*Verbatim*):

Objects as Henlow Parish Council believe this is a premature application as the Local Plan for Central Bedfordshire has not yet been approved. This site will have an impact on the road network and traffic at the A507 roundabout at The Crown, Henlow is already at capacity.

If this application is approved Henlow Parish Council would request that construction/deliveries to the site are limited to after 9:30am and before 2:30pm.

**Internal Consultees:**

Ecology -

Following the receipt of revised plans and information, additional requests for amendments and further net gains are requested, but can be secured through condition.

Archaeology -

No Objection, subject to the imposition of a condition to secure a written scheme of investigation.

Waste -

Following the reconsultation, no additional comments to make.

Sustainable Growth -

No Objection, subject to the imposition of conditions to secure energy efficiencies.

Pollution -

Following the receipt of a revised layout to include a bund for attenuation and revised noise assessment, no further concerns raised subject to a condition to secure provisions proposed.

SuDs -

No Objection, subject to the imposition of conditions to secure a SuDs strategy and its associated maintenance.

Trees & Landscape -	Following receipt of revised plans and information, no further concerns subject to conditions to ensure Tree protection is carried out in accordance with that planned and that landscape species/densities and maintenance is agreed through conditions.
Housing development Officer -	Supports the level and mix of affordable housing.
Public Art -	No Objection, subject to the imposition of a condition to secure a public art strategy.
Rights of Way -	No Objection, contributions towards the enhancement and resurfacing of the most affected rights of way (Footpaths 4 & 5).
Landscape -	Following the receipt of revised plans. no further concerns raised subject to the imposition of a condition to secure SuDs.
Highways -	<p>Transport assessment acceptable. Layout amendments required to account for appropriate service margins, introduction of traffic calming measures to reduce speed of road, visibility splays to be updated on private drives, bin storage and tracking for collection to be updated, visitor spaces should be even distributed.</p> <p>Following the receipt of revised plans, further amendments requested:</p> <ul style="list-style-type: none"><li>• Bus stop locations identified</li><li>• Tracking for new layout needs to be supplied for refuse vehicle</li><li>• Traffic calming measures within site required</li><li>• On street parking bays should be increased for visitors</li></ul>
Leisure -	On site pitch provision has not been provided on site and as such a contribution in lieu of this towards local project would be required. No concerns raised subject to the imposition of a condition to secure a timetable for its implementation.
Self Build/Custom Build -	Welcomes the proposal for 3 custom build plots however there is a greater demand in the locality for self build provision and as such would recommend an additional 6 plots be provided.

Following clarification that self build not possible due to construction constraints (such as piling), accepts custom build plots as proposed subject to them being secured through legal agreement.

MANOP The plans as submitted do not address the needs of older people.

This could be corrected by the submission of amended plans to show not less than twenty (20) units of mainstream housing and fourteen (14) units of housing with support for older people, or not less than thirty-four (34) units of mainstream housing suitable for older people.

Sustainable Transport - Following the receipt of a revised travel plan, no further  
Travel Plans concerns raised subject to the imposition of a condition to secure its provision.

**External Consultees:**

Beds Fire & Rescue - Recommends condition to secure a scheme for appropriate provision of fire hydrants.

Environment Agency- No objection, condition required to secure SuDs strategy to be agreed.

Internal Drainage Board - No Comments to make  
Highways England - . No Objection, subject to the imposition of conditions to secure a travel plan.

Following reconsultation including a travel plan, no objection raised.

Anglian Water - No Objection, subject to the imposition of a condition to secure a foul water strategy.

Bedfordshire Police - Concerns expressed over the levels of permeability and the lack of natural surveillance of shared spaces.

Historic England - No Comments to make

**S106 Sustainability Mitigation Obligations**

Healthcare: £364,305 towards local health facilities.

Education: Lower school contributions towards Derwent Lower - £515,033.40

Middle school contributions towards Henlow Academy -  
£518,248.22

Upper School contributions towards Pix Brook Academy -  
£635,509.56

Rights of way: Enhancement/Resurfacing of Public Footpath No.4 & 5 -  
£54,600

Libraries: £31,290 towards Arlesey Library Access Point/Resource  
Centre: Library refurbishment/ installation of self -service  
technology

Leisure/Open space: A contribution towards the upgrade or provision of new  
sports provision.

**Other Representations:**

Neighbours x 86

Objects on the following grounds (in summary):

- Increase traffic generation
- Noise disturbance to existing residents
- Noise disturbance to new residents from airfield
- Air pollution
- Pedestrian/car conflicts
- Doctors surgery at capacity
- Loss of trees & Landscape detrimental to character of the area
- Biodiversity harm
- Stondon character harmed due to cumulative development
- Impact on existing services & facilities
- Parking issues
- Flooding potential
- Privacy concerns
- Construction impact
- Station Road traffic calming measures required
- Noise impact on future residents as a result of Greyhound Stadium
- Loss of agricultural land
- Cramped form of development
- Schools over capacity
- Arlesey station unable to cope with existing demand
- Inappropriate design
- Inappropriate point of access
- Impact on sewage and water supply

- Village character and identity will be lost
- No real local benefits
- Traffic assessment 2016 and doesn't take into account Bovis Development
- Low water pressure
- Road network at a gridlock
- Unsustainable form of development
- Lack of consultation
- Distance to public transport not acceptable
- Loss of open space
- Development not in keeping with the character and grain of development
- Loss of light
- Contravention of Human Rights
- Allocation should come forward as a whole with access not directly from station road
- Loss of 2 existing dwellings
- Impact on existing rights of way
- Impact on recreational areas of existing residents
- Safety of children travelling to school
- Play area and equipment insufficient
- Impact on the landscape
- Unacceptable impact on quality of life of existing residents
- Village hall in high demand
- Fencing required around existing properties where this is not currently available to limit amenity impact
- Concerns over Asbestos health & safety impact
- lack of emergency vehicle access
- Security & antisocial behaviour concerns over footpath connections.

Additional comments following reconsultation:

- Cramped form of development
- Backland development
- Increased traffic generation
- Insufficient parking
- Insufficient bus stops
- All traffic coming out onto Station road
- Insufficient noise assessment
- Permeability leading to more opportunities for crime
- Some gardens to the rear of Station Road are exposed and boundary treatment should be provided for

- Impact on house prices
- Construction impact (i.e. break ins, noise, disturbance)
- Bus stop location proposed would exacerbate traffic congestion on station road and cause inconvenience and accessibility problems for property most affected by its planned location
- Contribution to health care required
- Proposal has no local benefit
- Lack of local infrastructure to support growth

### **Determining Issues:**

The main considerations of the application are;

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

### **Considerations**

- 1. Principle**
  - 1.1 The site lies outside of the settlement envelope of the village of Lower Stondon and is therefore located on land regarded as open countryside. Lower Stondon is designated as a large village where Policy DM4 limits new housing development to small scale allocations within the settlement boundary which respect the scale of the settlement. On the basis of Policy DM4 a residential proposal outside of the settlement envelope which does not represent small scale development bound by development, would be regarded as contrary to policy.
  - 1.2 The Council is able to demonstrate a five-year supply of housing land in excess of the 5 year requirement. Therefore, the Council's policies concerned with the supply of housing are not considered to be out of date and paragraph 11 of the NPPF is not therefore engaged. However, proposals should still be considered in the context of the presumption in favour of sustainable development (the overarching principle of the NPPF) that is the determining consideration for this proposal.
  - 1.3 It is acknowledged that this site (or in part) has been recognised as a site with future possibility for residential development and as such has been put forward for an allocation in the emerging local plan. The Local Plan is afforded limited weight only at the present time, given its stage of preparation. The Local Plan sets out a clear direction of travel for the allocation of various sites within the administrative boundary of the Council.

- 1.4 There is some concern over prematurity, however the NPPF sets out that a refusal of planning permission that an application is premature is unlikely to be justified other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. The NPPF goes on to explain that two such circumstances are likely, but not exclusively, to be limited to situations where both the development proposal is so substantial that the grant of permission would undermine the plan making process or phasing of new development and, the emerging plan is at an advanced stage but not yet formally part of the Development Plan.
- 1.5 The proposal herein is for 149 dwellings and, in the context of the overall strategy for Central Bedfordshire, is not significant and will not therefore prejudice the Local Plan process. A refusal of planning permission on prematurity grounds would not therefore be justified.
- 1.6 Lower Stondon is designated as a large village in the Development Plan. It is a settlement that contains a number of services including shops, pubs, schools, local businesses, community facilities and public transport availability via buses. As a settlement, Lower Stondon should be regarded as being sustainable.
- 1.7 Settlements that are classified as large villages are considered to be able to accommodate housing together with new facilities to serve the settlement which respect the scale of the settlement. The scale of the proposed development is considered to be reflective and proportionate to the scale of the settlement in which it is to be located.
- 1.8 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 harmful impact on the character and appearance of the area.
- 1.9 Notwithstanding this, consideration should be given to any material consideration of the scheme which would outweigh the conflict with policy DM4. As such regard should be had to the National Planning Policy Framework which carries a presumption in favour of Sustainable Development. There are three objectives to sustainable development which require consideration such as economic, social and environmental roles. Paragraph 8 of the NPPF states that these roles are mutually inclusive and as such in order to achieve sustainable development all three of the dimensions should be sought simultaneously.
- 2.0 Economic  
The NPPF makes it clear that planning policies should aim to minimise journey lengths for employment, shopping and other activities, therefore planning decisions should ensure developments that generate significant movements are

located where the need to travel will be minimised and the use of sustainable transport modes maximised. It is acknowledged that the construction of 149 houses would support a limited level of employment, with associated benefits to the local economy, within the local area on a temporary basis during the construction period which could be expected to last no longer than three years.

- 2.1 It is also acknowledged that new residents are likely to support existing local services although these are limited. The future Council Tax payments that would be spent in the area are considered as benefits. Cumulatively these make positive contributions to fulfilling the economic roles.
- 2.2 Stondon and Henlow Camp all provide some employment opportunities including public houses, village stores and a school. Furthermore the site is in close proximity to Hitchin and Arlesey which constitute a Major Service Areas which has access to a range of facilities and services which would provide local employment opportunities, although these are not within walking distance of the site and therefore there would be a dependency on public and private transportation.

In addition, it is acknowledged by the Council that a local business (MBDA Missiles Systems), ability to function is dependent on movements along the A600 not reaching a capacity that would prejudice their ability to meet relevant EU regulations. This is a material consideration in the interest of sustainable growth by ensuring that the proposed scheme would not prejudice pre-existing local employment generation. In this instance, the traffic counts and statistics that the council hold and provided in support of the application, conclude that the proposal would not give rise to a level of movements on the highway network that would prejudice the businesses operations. Therefore on the basis of all the considerations above, the development is considered to meet this strand of Sustainable Development.

- 2.3 Social  
The provision of 149 houses is given weight having regard to the Councils housing supply figures. The provision of affordable housing is noted as a benefit to the scheme, as is the provision of custom build provision and suitable housing mix which includes bungalow accommodation that would provide appeal for an ageing population.
- 2.4 It is noted that MANOP have requested a specific proportion of dwellings within the site should be designed to be suitable for older persons. However the standards outlined are not currently outlined within adopted or Emerging Planning Policy within the Local Plan or Supporting Document and as such it would not be reasonable to impose a condition that would secure such units on this site. However Policy H2 of the Emerging Local Plan, which relates to accessible home standards states that a proportion of Cat 2 & Cat 3 Homes. The scheme provides for 10% of the units of Cat 2 homes and all affordable housing

would be lifetime homes complaint and as such the scheme provides for a degree of housing that would be suitable to meet the needs of a range of occupiers with varying degree of needs and also those of an ageing population.

- 2.5 The site provides for the gifting of a parcel of land to the Parish Council for the use of a future planned sports hall within the site and a contribution towards the project realisation.
- 2.6 In addition, the proposal would contribute to social well being and interactions through additional place making opportunities with the inclusion of a commitment to a scheme for public art.
- 2.7 The report has detailed that the site is regarded as a sustainable location and it is considered that the settlement offers services and facilities that can, to an extent, accommodate the growth resultant from this scheme. The development will impact on local infrastructure and as a result, development of a scale as proposed here, is required to offset these impacts, by entering into a S106 agreement to provide financial contributions to mitigate these impacts which is considered in section 6 of this report. The development is therefore considered to meet this strand of sustainable development.
- 2.8 Environmental  
The site does provide environmental benefits through the provision of formal and informal open space including play area.
- 2.9 The NPPF states that opportunities should be taken to protect and enhance the natural environment and to improve biodiversity. The Councils Ecologist is satisfied that the proposal can allow for mitigation and enhancement of more habitat features in the proposed scheme.
- 2.10 Concerns have been expressed by many, that the development site would result in the loss of Grade 2 good quality agricultural land whereby paragraph 170 of the NPPF recommends that Local authorities consider the long term implication of the loss of good quality agricultural land in the interest of sustainable growth however whilst it is acknowledged that the proposal would be harmful as a result of this loss, it would not constitute significant development or loss of agricultural land and the public benefits which include the efficient use of land to provide additional local housing, would outweigh the associated harm by way of its loss.
- 2.11 The development results in residential development into what is regarded as open countryside which is not a benefit. The site would be demarcated by an appropriate landscape buffer mitigating against wider view implications. It is accepted that the proposal would have some visual impact however when considering the benefits of the proposal which are considered in greater detail later in this report, it is not considered to be significant and demonstrably harmful.

2.12 As such it is considered that the proposal would represent an appropriate scale of development bound by existing development and that given alongside the presumption in favour of Sustainable Development and the additional community benefits which are identified in paragraphs 2.0 -2.11 outweighs any identified visual harm to the character of the area given that landscape proposals would allow for the provision of a landscape buffer along the edges of the site and the non compliance with policy DM4. The proposal therefore would accord with the Section 2 and 5 of the NPPF.

**2. Affect on the Character and Appearance of the Area**

2.1 Local Plan Policy DM3 & CS14 states that proposals should take full account of the need for, or opportunities to enhance or reinforce the character and local distinctiveness of the area; and that the size, scale, density, massing, orientation, materials and overall appearance of the development should complement and harmonise with the local surroundings, particularly in terms of adjoining buildings and spaces and longer views.

2.2 The overall density for the site would be approximately 30 dwellings per hectare which is fairly representative of the density of residential within the immediate vicinity of the site.

2.3 The north and west boundaries of the site are flanked by open countryside. These boundaries will be improved through the planting of an appropriate buffer of additional tree and landscaping which will continue the full length of the boundary and would provide a suitable buffer and distinction from the built form and prevailing landscape. Formal opportunities are proposed for connectivity to the existing public right of way network which runs along and parallel with the rear boundary of the site.

2.4 Species of planting and trees have been revised in accordance with the Councils Landscape Officers advice. As such, it is considered that the proposal takes into account the need to protect existing trees and landscaping and appropriate landscape opportunities have been proposed to enhance the character of the area.

2.5 In addition to the trees and planting scheme, parcels of amenity space have been provided in a key locations within the scheme that could be utilised for recreation and provides a positive contribution to green infrastructure. This is reasonably connected to the surrounding existing residential developments and as such could be utilised by existing and future occupiers.

2.6 A number of revisions have been negotiated during the application process to improve permeability, variety, active frontages, a sense of place and to ensure accordance with the agreed parameters at the outline stage. These revisions include but are not limited to:

- A new footpath link along the southern and eastern boundary of the eastern parcel
  - The LEAP re-positioned to be more centrally located within the scheme
  - All units fronting the northern boundary in the western parcel orientated to face out onto the agricultural edge
  - Focal / key buildings visually identifiable creating a sense of place
  - All development relocated outside of the tree canopies and associated root protection areas (RPA's) to ensure existing planting is retained.
  - All shared surface roads widened to 8.8m (4.8m carriageway and 2 no. 2m footpaths / verges).
  - Introduction of footpath links to the public footpath located to the north of the site boundary enabling access to the rights of way network.
  - Allotted links to future development provided – one on the eastern boundary, the other on the western boundary to comply with the proposed allocation
  - Additional landscaping and trees opportunities throughout the site
  - Increase in chimneys on plots throughout the site
- 2.7 The proposed layout conforms to established good principles of design by respecting street design, set backs, boundary treatments, parking typologies and materials whilst respecting the surrounding landscape buffers.
- 2.8 The proposed dwellings have been designed to give the development an individual character and local distinctiveness. The buildings make good use of a variety of housetypes, storey heights, materials and fenestration details. Materials and fenestration of the dwellings proposed are sympathetic to the existing residential properties which further seeks to reinforce the established character of the area. The proposed buildings turn corners well and provide suitable frontages which address the street creating a frontage to the highway and to avoid the presence of physical boundaries and provide an appropriate level of surveillance where required.
- 2.9 Boundary treatment details have been provided which demarcate the public and private realm. The variation of boundary treatments, landscaping and surfacing provides for greater legibility around the site. The scheme would therefore provide for an appropriate standard of urban design in accordance with the Councils adopted Design Guide. As such it is considered that the proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 12 of the NPPF.

### **3. Landscape, Play and Green Infrastructure**

- 3.1 The application was submitted with a comprehensive LVIA which identifies the assessment of impact of change and capacity of proposed landscape mitigation to integrate development within the wider landscape and the Councils Landscape Officer has advised that this is acceptable. The layout has been revised during the life of the application to ensure that the additional opportunities for appropriate

trees and landscaping within the site has been realised and appropriate buffers have been provided in accordance with the landscape officers advice.

- 3.2 The proposed play area and open space central to the site and the attenuation area in the north east corner of the site are appropriately connected through both informal and connections from formal footpaths and would ensure that opportunities for green infrastructure enhancement have been maximised at this site. Further information was supplied during the course of the application which demonstrates that the attenuation area as proposed is multi-functional in terms of being able to provide an appropriate amenity space and SuDs opportunity.
- 3.3 In addition the play area in terms of the type and location has been updated in accordance with the Councils Play Officers advise. The details of the equipment have not been supplied in support of this application and as such the Councils Leisure Officer has recommended a condition, to ensure a high quality play provision.
- 3.4 Dwellinghouses have been sited and designed adjacent to the formal open spaces to provide a positive relationship with the amenity spaces within the site and for an appropriate level of natural surveillance. Dwellings along the southern edge of the site have also been situated to provide interaction with the landscape and habitat buffers and would also seek to provide some longer range views to the prevailing countryside beyond.
- 3.6 As such, it is considered that the proposal provides for a net gain in recreation and leisure opportunities in the promotion of healthy communities through appropriate green infrastructure opportunities and good quality play provision and therefore accords to policies's CS14 and CS17 of the Core Strategy for the North and Sections 7 & 8 of the NPPF.

#### **4. Neighbouring Amenity**

##### **4.1 Existing Residents**

Adequate separation is proposed back to back between existing and proposed dwellinghouses in accordance with the Councils technical design guidance.

- 4.2 Due to this adequate separation and the position of plots relative to the existing dwellinghouses, it is considered that the proposal would not give rise to a loss of light, overshadowing or overbearing impact to an unacceptable degree.
- 4.3 Concerns have been expressed by local residents about the potential for exposure to crime and antisocial behaviour as a result of the proposed footway which would run along the rear boundaries of existing properties 137-147 respectfully, due to the exposed nature of their boundaries in places and due to the potential for resultant antisocial behaviour as a result of the new footpath. However revised plans were received during the course of the application, which has sought to improve their boundaries through additional boundary treatments. In addition,

proposed dwellings of the new development provide an active frontage to the footway and provide adequate future surveillance and details of lighting would be secured in the interest of security by design.

- 4.4 Concerns have also been expressed by local residents in respect of construction disturbance however it is given little weight as a material consideration given that it is a temporary impact and one that is apparent on any grant of planning permission. In order to minimise the impact that would occur however the Pollutions Officer has recommended that a Construction Management Plan be secured through condition prior to commencement.
- 4.5 Future Occupiers  
The layout demonstrates that 149 dwellinghouses have been sited such that there would be no resultant impact on future occupiers in terms of loss of light/overshadowing nor privacy concerns.
- 4.6 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.
- 4.7 Concerns were expressed by the Councils Pollution Officer and local residents alike in terms of the lack of cohesive in the allocation coming forward as a whole, resulting in the retention of the Greyhound Stadium at least in the interim and the potential noise implications for future residents. During the life of the application, units were re-orientated and re-sited further from the boundary shared with the stadium and an associated bund incorporated into the landscaping scheme which was proposed along this shared boundary. The Councils Pollution Officer is satisfied that the proposed mitigation would lead to acceptable living conditions for future occupiers and as result removed their objection subject to the imposition of a condition to secure the necessary provisions.
- 4.8 Whilst bin storage and collection points have not been identified on the indicative plan, the Councils waste officer is satisfied that there is sufficient spaces within the site to accommodate such facilities and as such is satisfied that this could be secured by condition. Therefore the proposal in this regard, would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 7 of the NPPF.

## **5. Highway Considerations**

### **5.1 Capacity of the Highways**

The Transport Assessment has reviewed surrounding junctions with all the junctions including the A600 Bedford Road roundabout within capacity and considered to be acceptable.

## 5.2 Access/Layout

On entering the development the carriageway is 5.5m wide with 2m wide footpaths on both sides. The two roads that run east to west have been left open ended so as to provide access from the A600 Bedford Road following re-development of the greyhound stadium.

With regards to the overall road layout the design speed is proposed to be no more than 20mph with traffic calming features such as flat top raised tables. Internal junctions and visibility splays are also considered to be acceptable.

Private drives have no more than 5 dwellings served from them. Turning areas for light good vehicles and refuse vehicles have been supplied and are considered to be acceptable.

There is a clear Street hierarchy and a variety of surfacing materials are proposed to distinguish between the private drives, shared surfaces, segregated highways and parking areas and to ensure legibility.

It is acknowledged that there would be an increase traffic as a result of the construction phase, however this is to be management through a construction management plan which was secured by condition on the outline permission.

## 5.3 Parking

Adequate parking provision has been secured for each new unit. The majority of vehicle parking would be on plot, although there would be some displacement confined to within the development in locations relative to the plots in which would utilise them.

Where garages are proposed, their dimensions met the Councils technical design guidance. Visitor spaces are provided in most cases opposite locations where there is a perceived demand and additional on plot parking or close by displaced parking is provided. As such the parking provision would be in accordance with the parking standards contained within the Central Bedfordshire Design Guidance.

## 5.4 Right of Way & Sustainable Travel

Points of connection to the existing public right of way network in the interest of promoting healthy and sustainable modes of travel are proposed. In addition to the improved pedestrian network, a travel plan has been supplied in support of the application which seeks to demonstrate initiatives to improve/reduce the reliance on private modes of travel which would be secured by condition. In addition, in the interest of future proofing the site in relation to the increased uptake in electric vehicles, a condition has been imposed to realise a scheme for the charging of these vehicles.

5.5 The Highways Officer has not wished to raise an objection to the granting of this approval subject to the imposition of relevant conditions. Only conditions which are fundamentally relevant to highway safety and which are not controlled by the Councils approved contractor have been imposed on this application. As such it is considered that the proposal would not be prejudicial to highway safety and would conform with policy DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and section 9 of the NPPF in this respect.

## **6. Other Considerations**

### **6.1 Affordable Housing Provision**

Under Policy CS7 of the Core Strategy, 35% of all developments for four dwellings and above should be provided as Affordable Housing units. The proposal for 149 units would qualify for Affordable Housing provision and 35% would equate to 52 units of which the applicant has proposed which would also provide for the appropriate policy compliant tenure mix and also a housing mix which would meet the local needs. This shall form heads of terms for the legal agreement that would be required if Members resolve to grant planning permission. As such the proposal would comply with the requirements of Policy CS7.

### **6.2 Archaeology**

The proposed development site lies within an area that is known to contain archaeological remains dating from the later prehistoric periods onwards and this includes a series of Iron Age features initially recorded as cropmarks (HER 16792) which have been identified within the site itself. Under the terms of the National Planning Policy Framework (NPPF) these are heritage assets with archaeological interest and a material consideration in planning matters.

This application is accompanied by the results of a number of investigations that were undertaken at the proposed development site including geophysical survey and evaluation (Triskelion Heritage 2017). These investigations have demonstrated that archaeological remains, largely dating to the Iron Age and taking the form of a series of enclosures survive at the proposed development site. These remains are heritage assets with archaeological interest (as defined by the NPPF).

As such, this application will have a negative and irreversible impact upon the known surviving archaeological deposits present on the site, and 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 heritage assets with archaeological interest. This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works which could be controlled

through condition as suggested by the Councils Archaeologist, if the scheme was found to otherwise be acceptable. Therefore the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 16 of the NPPF.

### 6.3 **Climate Change**

Policy DM1 requires all development above 10 dwellings to deliver 10% of the development's energy demand from renewable or low carbon sources. The proposed development is over the policy threshold. 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. The Councils Sustainability Officer would wish to encourage the developer to achieve a higher energy efficiency standard than this prescribed by the 2013 part L of the Building Regulations, as energy efficient fabric leads to lower energy demand and smaller renewable energy installation to satisfy the requirement of policy DM1. If the proposal were considered otherwise acceptable, such matters could be controlled by condition. As such, the proposal would conform with policies DM1 & DM2 of the Core Strategy for the North and Section 14 of the NPPF.

### 6.4 **Contamination**

The Geophysical report which accompanies the application identifies the need for further investigation. As such, the Councils Pollution Officer has advised, a land contamination investigation, remediation and validation condition is required to ensure that the contamination is effectively remediated to ensure the site is suitable for residential use.

### 6.5 **Cumulative Impact on Village**

Whilst concerns have been expressed by local residents in respect of the cumulative impact on Stondon due to the number of residential development proposals in recent years, planning applications can only be determined on the basis of their individual merits.

### 6.6 **Ecology**

The NPPF calls for development to deliver a net gain for biodiversity and therefore the Councils Ecologist has raised concerns of the lack of opportunities proposed by the submission. Revised plans for ecological enhancement and details of landscaping were supplied during the life of the application which appropriately demonstrate a net gain in biodiversity and the Ecologist raised that additional opportunities for bird/bat boxes and hedgehogs holes should be explored. This could be controlled through condition to ensure an appropriate level of biodiversity net gain and its timetable for delivery is realised. Therefore

the proposal is considered to accord with policies CS18 & DM15 of the Core Strategy for the North and Section 11 of the NPPF.

**6.7 Fire Hydrants**

The Bedfordshire Fire Service has identified that new residential developments should allow for the provision of fire hydrants and appropriate access. This is a matter that could be designed into the layout and can be controlled by condition prior to commencement.

**6.8 Financial Contributions**

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. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. 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 .

In this case, Spending Officers were consulted and comments returned from Education, Leisure & CCG. The contributions as highlighted under heading **S106 Sustainability Mitigation Obligations** and shall form heads of terms for the legal agreement that would be required if Members resolve to grant permission. As such, it is considered that the proposal would conform with policy CS2 of the Core Strategy for the North.

**6.9 Flood Risk & SuDs**

The site is located within Flood Zone Area 1 whereby the probability of flooding is identified as being low. As such, no objections have been raised by the Environment agency.

From 6th April 2015 local planning policies and decisions on planning applications relating to major development (developments of 10 dwellings or more; or equivalent non-residential or mixed development [as defined in Article 2(1) of the Town and County Planning (Development Management Procedure) Order 2015], must ensure that sustainable drainage systems (SuDS) for the management of surface water runoff are put in place, unless demonstrated to be inappropriate. A drainage strategy was supplied for consideration as part of the application and the Councils SuDs Officer is satisfied that an appropriate Sustainable Drainage System could be implemented on site so as limit any flooding potential and as such has not wish to raise any objection to this proposal subject to the imposition of conditions to control its provision. In addition, neither the Internal Drainage Board or Anglian Water have wished to raise an objection to this application. As such it is considered that the proposal accords with the Councils adopted SuDs guidance and the section 14 of the NPPF.

**6.10 Impact on Services**

Whilst concerns have been expressed by local residents about the impact of the proposed dwellinghouses on the existing water and sewage connections, the Internal Drainage Board and Anglian Water has not raised any objections in this regard.

**6.11 Public Art**

Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council. The Councils Public Art Officer has raised no objection to the granting of this permission, subject to the imposition of a condition to secure an art strategy. Whilst for a scheme of this size, public art is not required to make this development acceptable, the developer has agreed to its provision as a benefit to this scheme.

**6.12 Human Rights and Equality Act issues:**

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

**Recommendation:**

That Planning Permission be APPROVED subject to the completion of a s106 agreement and the following:

**RECOMMENDED CONDITIONS**

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

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

- 2 The materials to be used for the external walls and roofs of the development as shown on drawing no.006 Rev F shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.  
(Policy DM3 of the Core Strategy for the North and Section 12, NPPF)

- 3 The planting and landscaping scheme shown on approved Drawing Nos. LS-001C, 002C, 003C, 004C, 005C, 006C, 007C, 008C, shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting

season shall mean the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

Reason: To ensure an acceptable standard of landscaping.  
(Sections 12 & 15, NPPF)

- 4 No dwelling hereby approved shall be occupied, until a Landscape, ecological and Sustainable Drainage System Maintenance and Management Plan for a period of ten years from the date of its delivery 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 maintenance and management plan. The landscaping and SuDs shall be maintained and managed in accordance with the approved plan following its delivery.

Reason: To ensure that the appearance of the site would be acceptable and a net gain in biodiversity could be retained, in accordance with Policy DM14 & DM15 of the Core Strategy and Sections 14 & 15 of the NPPF.

- 5 The positioning of the protective fencing details as supplied in support of the application, shall be erected to protect the natural canopy spread and root protection areas of the trees/hedgerows proposed to be retained. The protective fencing shall then be fully implemented before the commencement of any site construction works, and the approved fencing shall remain firmly in place throughout the entire course of development.

Reason: To ensure that a satisfactory standard of landscape protection is fully implemented in the interests of maintaining the health and natural canopy spread of the protected trees. Failure to secure these details prior to commencement of development could result in the unreasonable loss of a trees and landscaping that adds amenity value. (Policy CS16 of the Core Strategy and Section 15 of the NPPF).

- 6 No development shall take place above slab level, until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority demonstrating energy and water efficiency measures. The works shall then be carried out in accordance with the approved details.

Reason: This condition is pre-commencement of above slab level as many energy efficiencies relate to fabric first approach which will be required to be ordered in advance of construction start and in the interests of sustainability. (Policy DM2 of the Core Strategy for the North & Section 14 of the NPPF)

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

Reason: This condition is pre-commencement as the ground works for connectivity will need to be considered prior to construction in order to ensure appropriate access to fire hydrants for use in the event of emergency in accordance with policy DM3 of Central Bedfordshire Core Strategy for the North and Section 12 of the NPPF.

- 8 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Impact Assessment (December 2017 Rev 1) 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.**

**The applicant should address the following concerns when submitting details to discharge the condition:**

**Details of the final proposed impermeable area, peak flow rate and storage requirement, with full calculations and methodology. The scheme to be submitted shall include provision of attenuation for the 1 in 100 year event (+ 40 climate change) and demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event (to include for climate change and urbancreep) will not exceed the run-off from the undeveloped site following the corresponding rainfall event.**

**Reason: This condition is pre-commencement 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.**

- 9 **No development shall take place (including ground works or site clearance) until an Ecological Enhancement Strategy (EES) for the creation of new wildlife features such as hibernacula, the erection of bird/bat and bee 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 shall be informed by an up to date Ecological Appraisal of the site and 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;
- f) details of initial aftercare and long-term maintenance.

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

**Reason:** This condition is pre-commencement to ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework. (Policy DM15 of the Core Strategy for the North and Section 15, NPPF)

- 10 No development shall take place until details of the method of disposal of foul water drainage have been submitted to and agreed in writing by the Local Planning Authority. Thereafter no part of the development shall be occupied or brought into use until the approved drainage scheme has been implemented.

**Reason:** This condition is pre-commencement as ground works will be required prior to construction to ensure that adequate foul water drainage is provided and that existing and future land drainage needs are protected.  
(Section 14, NPPF)

- 11 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 investigation report as recommended by the previously submitted Travis Baker Geo-Environmental Ltd Desk Study and Site Investigation Report dated 8th June 2017 along with a Remediation Method Statement should the Phase 2 discover the need for remediation.

**Reason:** This condition is pre-commencement as it relation to ground works and remediation to ensure that the site is suitable for its end use and to protect human health and the water environment.

**(Section 8, NPPF)**

- 12 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 by means of which the effectiveness of the remediation implemented by any Remediation Method Statement shall be demonstrated to the Local Planning Authority (to incorporate photographs and depth measurements).

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

Reason: To ensure that the site is suitable for its end use and to protect human health and the water environment.  
(Section 8, NPPF)

- 13 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 the Central Bedfordshire Design Guide and Section 12 of the NPPF.

- 14 No building shall be occupied until the junctions of the proposed vehicular access points with the highway has been constructed in accordance with the approved details. No other part of the development shall take place until the visibility splays at the junction of the accesses with the public highway shown on the approved drawing have been provided. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: In order to minimise danger and to provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.  
(Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF)

- 15 Before any vehicular access is first brought into use a triangular vision splay shall be provided on each side of the new access and shall measure 2m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2m measured into the site at right angles to the same line along the

side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate pedestrian/driver intervisibility between the highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF).

16 **No development shall take place, including any works of demolition, until a Construction Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:**

- (A) The parking of vehicles**
- (B) Loading and unloading of plant and materials used in the development**
- (C) Storage of plant and materials used in the development**
- (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
- (E) Footpath/footway/cycleway or road closures needed during the development period**
- (F) Traffic management needed during the development period.**
- (G) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.**
- (H) details of the responsible person who can be contacted in the event of a complaint;**
  - **mitigation measures in respect of noise and disturbance during construction including piling techniques, vibration and noise limits, prior notification to the occupiers of potentially affected properties, monitoring technology, screening, a detailed specification of plant and equipment to be used, and construction traffic routes; and**
  - **a scheme to minimise and monitor the emission of dust and dirt during construction and to prevent the burning of materials on site.**
  - **Measures for controlling the use of site lighting whether required for safe working or for security purposes.**

**The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.**

**Reason: This condition is pre-commencement, in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF).**

- 17 No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exists and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.  
(Section 12, NPPF)

- 18 **No development shall take place until a written scheme of archaeological investigation; that includes provision for 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 and this condition will only be fully discharged when the post-excavation analysis and reporting is complete and the future of the site archive is secured.**

**Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 199 of the *National Planning Policy Framework* (NPPF) that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).**

- 19 No dwelling shall be occupied until a timetable for the implementation of Local Equipped Areas of Play and Local Areas of Play as shown on drawing no. SM555-LS-005d has 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 and facilities for residents would be acceptable in accordance with Policy DM3 of the Core Strategy and Section 8 of the NPPF.

- 20 **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 to ensure that an acceptable relationship results between the new development and adjacent buildings and public areas.(Policy DM3 of the Core Strategy and Section 12, NPPF)**

- 21 Prior to occupation of the dwellings hereby approved, a scheme for the provision of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved scheme and thereafter retained for this purpose.

Reason: To ensure provision for car parking clear of the highway in the interests of highway safety.  
(Section 9, NPPF)

- 22 No development shall commence above slab level, until a scheme demonstrating how and which 10% of units on the development will meet Category 2.

Reason: To ensure that an appropriate level of housing to meet the needs of future generations by being adaptable and accessible, have been provided in accordance with Nationally Described Space Standards and having regard to the benefits proposed of the scheme. (Section 5 of the NPPF)

- 23 **No development shall be commenced above slab level, until an estate street phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.**

**Reason: This condition is pre-commencement to ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policies DM3 of the Core Strategy and Sections 9 & 12 of the NPPF.**

- 24 The measures included within the Travel Plan dated November 2018 (Revision D) shall be implemented in accordance with the stated timetable followed by a review annually for a period of five years.

No part of the development shall be occupied prior to implementation of those parts identified in the Travel Plan.

Reason: To reduce reliance on the private car by promoting sustainable modes of transport including walking, cycling and public transport. (Section 9 of the NPPF)

- 25 The development hereby permitted shall be carried out in accordance with the approved noise mitigation scheme as specified in section 7 of the Cole Jarman noise assessment report ref no 17/0270/R2, mitigation amended 11 October 2018. The developer shall submit technical specifications for the glazing, ventilation and noise barriers prior to installation to validate that the approved noise scheme will be fully implemented. No dwelling shall be occupied until the works to protect the dwelling concerned have been completed in accordance with the approved details.

Reason: To protect the amenity of future occupiers and to safeguard the interests of local businesses.

- 26 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers EL-001 (Location Plan), SL-001U (Site Layout), SL -002U (Colour Layout), SL-003G (Boundary Plan), SL-004D (Garden Plans), SL-005E (Parking), SL-006F (Materials) SL-007 (Bus Stop Plan), LS-001C, 002C, 003C, 004C, 005C, 006C, 007C, 008C, (Landscape Scheme), LS-009A (Planting Details), EN-008D (Refuse Tracking), EN-013 (Emergency Vehicle Tracking), Gower bsp House Type, Marlow House Type Brick & Render, Kipling House Type Brick & Render, Heywood House Type Brick, Brooke House Type Brick & Render, Wotton House Type Brick & Render, Shirley House Type Brick, Morris House Type Brick & Render, Darlton House Type Brick & Render, HOG-1 House Type, 2BB-PL01 Rev A, 2BB-PL02 Rev A, 2BB(OPP)-PL03 Rev A, 2BB(OPP)-PL04 Rev A, 2B.CB-R-PL02, 2B.CB-S/O-PL02, 2B.CB-R-PL03, 2B.CB-S/O-PL03, 2B.CB-R-PL04, 2B.CB+4B.CB-R-PL01, 2B.CB+4B.CB-R-PL02, 3B.CB-R-PL01, 3B.CB-S/O-PL01, 3B.CB (OPP)-R-PL04, 1BF04(4)-PL01, 1BF04(4)-PL03, Noise Report 17/0270/R2 & Supplementary Noise Assessment, Flood Risk Assessment Project No. 16159, Design & Access Statement July 2018, Lighting Impact Assessment, Desk Study & Site Investigation Report, Arboricultural Method Statement July 2018, Landscape Strategy Rev C, Transport Assessment Rev C, Historic Environment Desk Based Assessment June 2018, Landscape & Visual Impact Assessment Jan 2018, Ecological Appraisal Dec 2017, Statement of Community Involvement Jan 2018, Air Quality Assessment Aug 2017, Planning Statement Jan 2018 & Residential Travel Plan Rev D.

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 National

Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.

2. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
3. This permission is subject to a Legal Obligation under Section 106 of the Town and Country Planning Act 1990.

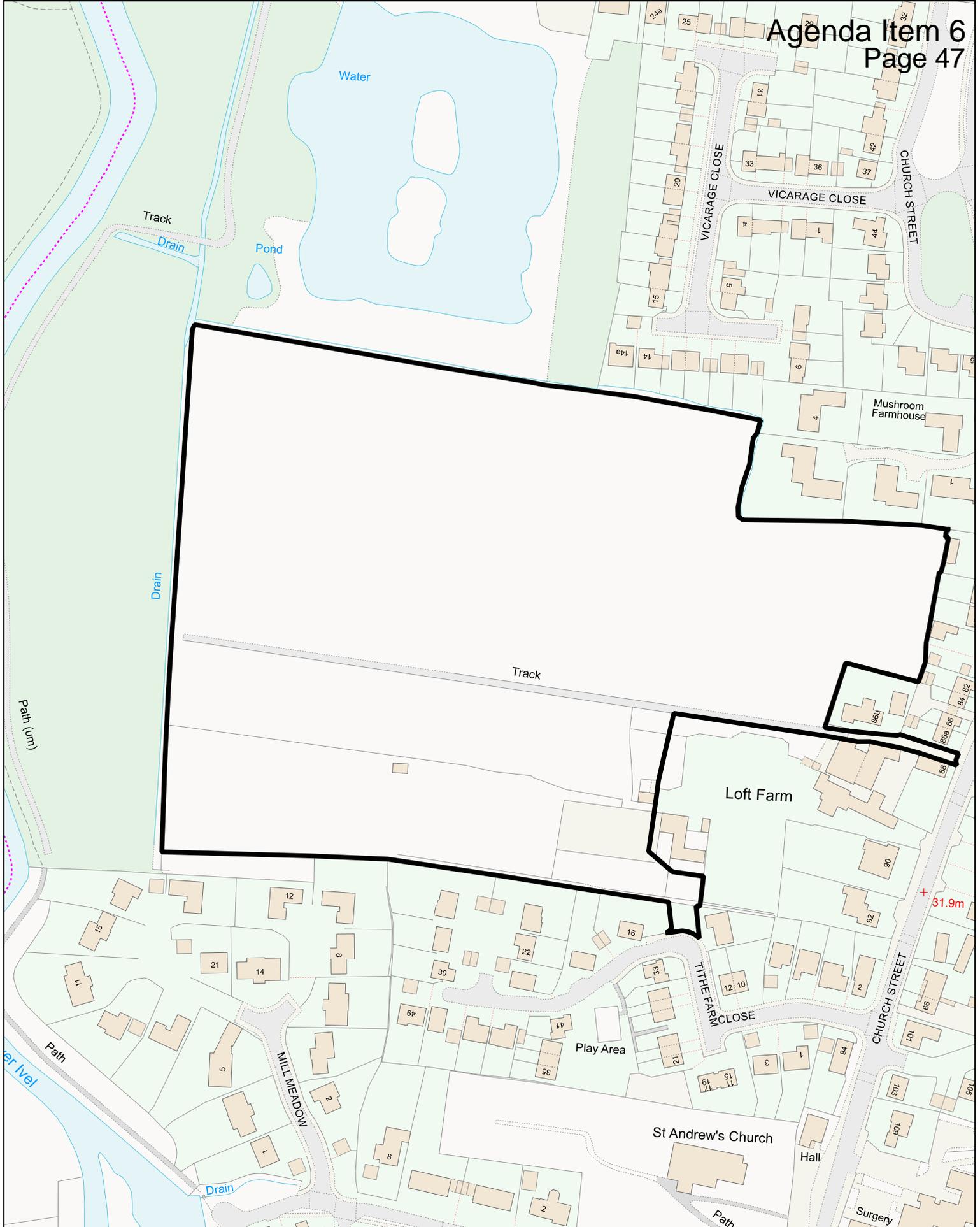
**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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Date Created  
16-11-2018

Application No.  
CB/18/02373/OUT

Loft Farm and West of Church  
Street, Langford, SG18 9QA

Crown Copyright and database  
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Ordnance Survey 100049029  
Central Bedfordshire Council.

Cities Revealed Aerial  
photography copyright  
The GeoInformation Group 2017



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**Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/18/02373/OUT</b>
<b>LOCATION</b>	<b>Loft Farm and West of Church Street, Langford, Biggleswade, SG18 9QA</b>
<b>PROPOSAL</b>	<b>Outline planning application for up to 95 dwellings and associated public open space, with all matters reserved except for access.</b>
<b>PARISH</b>	<b>Langford</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dixon, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Stuart Robinson</b>
<b>DATE REGISTERED</b>	<b>26 June 2018</b>
<b>EXPIRY DATE</b>	<b>21 August 2018</b>
<b>APPLICANT</b>	<b>Rosconn Strategic Land</b>
<b>AGENT</b>	<b>Strutt and Parker</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure from the Development Plan</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

**Reason for Recommendation:**

The proposal is located outside of the Settlement Envelope and therefore represents a departure from the development plan. However the site, due to its scale and location, is considered to represent sustainable development, which outweighs non-compliance with Policy DM4.

The applicant commits to various financial contributions to offset the impact on local infrastructure. The development would also provide affordable housing, compliant with Policy CS7. There is not considered to be any material harm in terms of highways safety, residential amenity, character, ecology or flood risk, and the development is considered to be acceptable in principle.

**Site Location:**

The application site comprises of a 5.45 ha parcel of land, located to the north-west of Langford. The site largely comprises of a pasture field, subdivided by temporary or permanent fencing. The site contains a number of existing agricultural buildings to the centre and eastern areas of the site, including stables, pig pens and chicken huts.

The site adjoins residential development to the south, east and partially to the north. To the north-west of the site lies Chestnut Pool Fisheries. To the west lies the River Ivel, a County Wildlife Site. A small parade of shops is located to the east of the site. To the south-east of the site is Langford Village Academy, a lower school.

The site is located outside of the Langford Settlement Envelope. The western area of the site falls within Flood Zone 2.

### **The Application:**

This application seeks outline planning permission for up to 95 dwellings. All matters are reserved as part of this application, apart from access.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (July 2018)**

#### **Core Strategy and Development Management Policies - North 2009**

Policy CS1: Development Strategy  
Policy CS2: Developer Contributions  
Policy CS7: Affordable Housing  
Policy CS14: High Quality Development  
Policy CS16: Landscape and Woodland  
Policy DM3: High Quality Development  
Policy DM4: Development Within and Beyond Settlement Envelopes  
Policy DM10: Housing Mix  
Policy DM14: Landscape and Woodland  
Policy DM15: Biodiversity

#### **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

SP1: National Planning Policy Framework - Presumption in Favour of Sustainable Development  
SP7: Development within Settlement Envelopes  
T2: Highways Safety and Design  
T3: Parking  
HQ1: High Quality Development  
HQ8: Back-land Development  
H2: Housing Standards  
EE2: Biodiversity  
DC5: Agricultural Land

### **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

### **Relevant Planning History:**

No relevant planning history.

### **Consultees:**

Langford Parish Council	Object for the following reasons: <ul style="list-style-type: none"><li>• Highlight concerns regarding the Transport Assessment. The TA incorrectly states it is a 30mph road, even though it is a 20 mph road. The TA does not identify other committed developments, such as Flexmore Way.</li><li>• The access road width is not practical for the potential vehicle usage and the scale of development.</li><li>• The visibility of the access is limited and an alternative should be sought.</li><li>• Parking and access are already issues in relation to Church Street and Tithe Farm Close.</li><li>• Minimal public transport within the village.</li><li>• Concerns regarding flooding and drainage.</li></ul>
Anglian Water	No objection, subject to conditions.
Internal Drainage Board	No objection, subject to a condition.
Beds Fire and Rescue	No objection.

Environment Agency	No objection.												
Police Architectural Liasion	Object to the application due to concerns regarding the level of permeability, which is considered to negatively impact security.												
CBC MANOP	No objection. Comments state that no less than thirteen units of mainstream housing suitable for older people should be provided.												
CBC Archaeology	No objection, subject to a condition.												
CBC Landscaping	Request more detail in relation to internal landscaping and tree planting												
CBC Leisure	No objection. Contributions would be expected towards indoor and outdoor sport provision.												
CBC Travel Plans	No objection, subject to a condition.												
CBC Ecology	No objection, subject to a condition.												
CBC Trees	No objection.												
CBC Waste Services	Comments in relation to expected bin provision												
CBC Pollution	No objection, subject to a condition												
CBC Drainage	No objection, subject to conditions.												
CBC Sustainability	Comments in relation to self and custom build expectations.												
CBC Affordable Housing	No objections. The following mix is stated for the affordable dwellings:												
	<table border="0"> <thead> <tr> <th><b>Property Type</b></th> <th><b>Affordable Rent</b></th> </tr> </thead> <tbody> <tr> <td>1 Bed Flat</td> <td>10%</td> </tr> <tr> <td>2 Bed Flat</td> <td>10%</td> </tr> <tr> <td>2 Bed House</td> <td>45%</td> </tr> <tr> <td>3 Bed House</td> <td>30%</td> </tr> <tr> <td>4 Bed House</td> <td>5%</td> </tr> </tbody> </table>	<b>Property Type</b>	<b>Affordable Rent</b>	1 Bed Flat	10%	2 Bed Flat	10%	2 Bed House	45%	3 Bed House	30%	4 Bed House	5%
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2 Bed House	35%												
3 Bed House	30%												
4 Bed House	0%												
CBC Public Art	No objection, subject to a condition												
CBC Minerals and Waste	Awaiting formal comments following re-consultation.												

**Other Representations:**

## Neighbours

94 objections have been received in response to the application. These have been summarised below:

- The site is located outside of the Settlement Envelope
- The site is not allocated within the emerging Local Plan
- Overdevelopment of the site and the proposed development is too dense.
- Infrastructure capacity issues
- The proposed development would not provide additional services.
- Concern regarding congestion.
- No public benefits
- Prejudicial to the outcome of the Neighbourhood Plan (which begun production in July 2018). The proposed development would undermine the neighbourhood plan-making process.
- The development would be harmful to the character of the area.
- Concerns in relation to highways safety
- The permissive path is inaccurate and misleading.
- The suggested footpath (annotated to the south west corner) is not a public footpath.
- Existing public transport is not a viable option
- All new housing should include solar panels.
- Concerns regarding dust, noise and vibration resulting from the proposed development.
- The ecological surveys are not sufficient. Concerns regarding impact to biodiversity.
- Concern regarding flooding. Unclear whether flood risk has been assessed in relation to Tithe Farm Close.
- Limited school places.
- The doctors surgery has no capacity.
- The sewage works has limited capacity.
- Concern regarding privacy
- Concern regarding loss of light
- Suggest a landscape buffer should be provided to existing residents

A response has been submitted in support of the proposed development, stating:

- Welcome further development and the additional amenities that development brings.

### Determining Issues:

The main considerations of the application are;

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

### Considerations

#### 1. Principle

- 1.1 The application site is located to the north-west of Langford, outside of the Settlement Envelope of the village. The site largely comprises of a pasture field, subdivided by temporary or permanent fencing. The site contains a number of existing agricultural buildings to the centre and eastern areas of the site, including stables, pig pens and chicken huts.
- 1.2 Several responses have been received in relation to the principle of development. These include objections in relation to the scale of the proposal, the siting outside of the Settlement Envelope and the fact that the site has not been allocated within the emerging Local Plan.
- 1.3 Policy CS1, within the adopted Local Plan, classifies settlements by virtue of their scale, services and facilities. This Policy identifies Langford as a Large Village.
- 1.4 Policy DM4, within the adopted Local Plan, applies weight in favour of development within Settlement Envelopes and restricts development divorced from the settlements identified within Policy CS1. Policy DM4 states that:

*"Beyond Settlement Envelopes, limited extensions to gardens will be permitted provided they do not harm the character of the area. They must be suitably landscaped or screened from the surrounding countryside and buildings may not be erected on the extended garden area."*

The proposed development would therefore not comply with Policy DM4. It has been confirmed by several recent appeal decisions that Policy DM4 is not out-of-date and can be afforded at least moderate weight. Whilst the proposed development would not comply with Policy DM4, it must be considered whether there are material considerations that outweigh non-compliance with this Policy.

- 1.5 The Council is able to demonstrate a five-year supply of housing land in excess of the 5 year requirement. Therefore, the Council's policies concerned with the supply of housing are not considered to be out of date – the 'tilted-balance' test

in Paragraph 11 of the NPPF is not therefore engaged. However, proposals should still be considered in the context of the presumption in favour of sustainable development - that is the determining consideration in relation to whether the principle of the application is acceptable.

- 1.6 The settlement of Langford is classified as a Large Village within the adopted Local Plan. Langford contains a number of shops and services, including village shops, pubs, a Lower School and a village hall. In terms of accessibility, the Lower School is approximately a 10 minute walk away. It is also noted that two bus stops, with regular routes to Hitchin and Sandy, are a 10 minute walk away. Therefore, the location, in itself, is not considered to be unsustainable.
- 1.7 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. 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 the proposal is considered to be reflective of the scale of the settlement.
- 1.8 Whilst the development would be contrary to Policy DM4, it is considered that the loss of open countryside, in this instance, is not considered to present an unacceptable adverse impact upon the character of the area. The proposal would adjoin development to the north-east, east and south. Therefore, whilst the development would fall within open countryside, it would not appear as a lone encroachment into the countryside.
- 1.9 The application site currently comprises of a farm, with a manege. The site falls within the best and most versatile agricultural land (Grade 3 agricultural land, based upon Natural England mapping data). Paragraph 170 of the NPPF identifies that decisions should contribute to and enhance the natural and local environment by the economic and other benefits of the best and most versatile agricultural land. In considering the sustainability of the site, one must consider the economic, and other, impacts in relation to the loss of high grade agricultural land. This position is largely echoed by emerging Local Plan Policy DC5, which resists the loss of the best and most versatile agricultural land.
- 1.10 The proposed development would provide small economic benefits, in terms of the creation of (temporary) jobs in relation to the construction of the proposal. There would also be Council Tax benefits, in terms of additional residents within the area. It is accepted that the loss of the agricultural land would not be beneficial economically, however, due to the small size of the site, the loss of this agricultural land is only considered to have a limited weight against the sustainability of the proposed development.

- 1.11 It is considered that some weight, in relation to the sustainability of the site, can be given to the social benefits of providing additional housing, including affordable housing. This matter has limited benefits, as the provision of affordable housing would be expected in accordance with Policy CS7.
- 1.12 It is noted that the site was submitted (as two separate sites) for the Council's call for sites and was not allocated within the emerging Local Plan. The site proceeded through the first round of assessment, in relation to the emerging allocations, however the final assessment concluded that there were more suitable sites within Langford. It must be noted that the allocation process within the emerging Local Plan is not the same process as the consideration of a planning application. This allocation process does not provide significant weight against the proposed development.
- 1.13 Based upon the above considerations, it is considered that, whilst the proposal is contrary to Policy DM4, the loss of open countryside and impact on the character of the area is not, in this instance, harmful to the extent that it would warrant a reason to refuse planning permission. Therefore, it is considered that the scheme can be considered acceptable in principle. Additional material considerations may contribute towards the benefits and dis-benefits of the development and can impact the final planning balance. These are considered in the remaining sections of the report.

## **2. Affect on the Character and Appearance of the Area**

- 2.1 The proposed development would be located to the west of Church Street, and would be accessed via Tithe Farm Close. The application site forms an irregularly shaped parcel of land, infilling between Church Street and the River Ivel.
- 2.2 The application seek outline planning permission, with all matters reserved apart from access. In order to clarify whether the site could accommodate a development of up to 95 dwellings, the applicant has provided an indicative layout plan and a development parameter plan, which identifies the broad location of residential development and open space.
- 2.3 The proposed development would be located to the rear Church Street, which is broadly typified by linear residential development. The surrounding area does contain instances of back-land development, such as Tithe Farm Close and Vicarage Close. Therefore, the location of the development is not considered to be incompatible with the character of the surrounding area.
- 2.4 Neighbouring residents have raised concerns regarding the scale of the proposed development. The layout, appearance and scale of the development have not been detailed as part of this application. It is noted that the density of the development would be approximately 32 DPH. Such a density is similar to that of the surrounding area, which is typically around 30 DPH.

- 2.5 Whilst the landscaping is a reserved matter, it is considered that the proposal would provide sufficient space to accommodate strengthening of the site's boundaries, reducing the visual presence of any development.
- 2.6 Neighbouring residents have raised concerns regarding the proposed development, suggesting it will increase flooding within the area. The western section of the site, adjoining the River Hiz, falls within Flood Zone 2. The remainder of the site is not within Flood Zones 2 or 3. Based upon the submitted parameter plan, the residential development would not be located within Flood Zones 2 or 3. The Council's Drainage officer has not raised an objection to the proposed development.
- 2.7 The submitted plans are considered to demonstrate that a development, of up to 95 dwellings, could be accommodated without presenting an adverse impact to the character or design of the area.
- 2.8 As such, based upon the information submitted, it is considered that the proposal would not present an unacceptable adverse impact to the character of the area. The proposal would be in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies (North) Local Plan and Policy HQ1 and HQ8 of the Central Bedfordshire Submission Local Plan.

### **3. Neighbouring Amenity**

- 3.1 The application seek outline planning permission, with all matters reserved apart from access. Therefore, the submitted layout provides an indication of what could be accommodated within the site. It is noted that several residents have raised concerns regarding the impact to residential amenity, including loss of light, loss of privacy and the impact of pollution upon surrounding properties. These concerns will need to be addressed through future reserved matters applications, if the outline application is approved.
- 3.2 The application has been considered by a CBC Pollution Officer, who has not raised an objection regarding the impact of the development upon neighbouring residents.
- 3.3 Based upon the information submitted, it is considered that the proposed development would not present an unacceptable adverse impact in terms of loss of amenity. Therefore, the proposal is considered to comply with Policies CS14 and DM3 of the Core Strategy and Development Management Policies (North) Local Plan and Policy HQ1 of the Central Bedfordshire Submission Local Plan.

### **4. Highways and Parking Considerations**

- 4.1 As part of this outline planning application, access has been detailed. The proposed access would be taken from via Tithe Farm Close, an existing

residential estate road. Several residents have raised concerns regarding the proposed access, suggesting the access would not be wide enough, would not have sufficient visibility and would ultimately harm highways safety.

- 4.2 As part of the application, the applicant has submitted a Transport Assessment. This analysis concludes that the proposed development will not have a material detrimental impact on the operation of the junctions assessed or on the local highway network generally.
- 4.3 This Assessment has been considered by a Highways Officer, who has not raised an objection, subject to conditions. As part of these conditions, the following improvements have been suggested:
- The existing Zebra crossing outside Langford Village Academy should be upgraded to a signalised Puffin crossing. The advantage over the existing Zebra crossing is that drivers have a clear instruction to stop and they also provide assistance for pedestrians with a visual impairment.
  - Provision of a speed table 10 metres from the proposed T junction.
  - The provision of a portable Vehicle Activated Sign (VAS) to use on the approach to the community facilities on Church Street (shop/PH/pharmacy/hairdressers), to identify vehicle speeds, would be sought via a financial contribution.
- 4.4 As outline permission is sought, parking provision would have to be detailed through future reserved matters applications. Based upon the information submitted, there is nothing to suggest the car parking provision would not comply with the standard within the adopted Design Guide.

## **5. Planning Obligations**

- 5.1 Spending Officers were consulted as part of this application and comments were returned from Education, Leisure, Open Space and Community Buildings. Contributions towards local Early, Middle and Upper Schools, have been agreed with the applicant. Affordable housing would also be sought at 35% of the development. A LEAP would also be provided via the s106 agreement.
- 5.2 The NHS have also requested a contribution, which has been agreed with the applicant. The contribution relates to the re-configuring of Langford Surgery premises to allow for additional space within the surgery.
- 5.3 If members support the application, then these contributions would form part of a s106 agreement, to be completed and signed following the Committee.

## **6. Other Considerations**

### **Prejudicial to Neighbourhood Plan**

6.1 Langford was designated a Neighbourhood Area for the purposes of making a Neighbourhood Development Plan on 4th July 2018. Therefore, the production of a Neighbourhood Plan for Langford is at a very early stage. Several residents have raised objections in response to the application, stating that approving the application would be prejudicial to the production of the Neighbourhood Plan.

6.2 The National Planning Policy Guidance identifies that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Neighbourhood Plan has yet to be submitted for examination. As the Neighbourhood Plan has yet to be drafted, there is no indication how the proposed development would prejudice the production of the plan. Therefore this matter is considered to have no weight.

### **Rights of Way**

6.3 To the west of the site lies a footpath (detailed as a permissive footpath on site), which adjoins a County Wildlife Site and an area of land maintained by the Council. The Rights of Way and Countryside Access teams have not raised an objection, and have requested access and land to improve the maintenance of this area and the improve connectivity.

6.4 If the application is approved, then a portion of land would be transferred to the Council and a maintenance contribution would be provided. This would be controlled within a s106 agreement.

### **Impact to Minerals**

6.5 The site falls within the Minerals Safeguarding Areas for River Valley/Glacial Sand and Gravel and Woburn Sands as identified in the Minerals and Waste Local Plan 2014. Policy MSP 11 therefore requires the proposals to be accompanied by a Minerals Resource Assessment (MRA).

6.6 An MRA has been submitted and, whilst the report contains inaccuracies, it is accepted by officers that surface development within the site is acceptable.

### **Security**

6.7 Concerns have been raised by the Bedfordshire Police Architectural Liaison regarding the risk of crime and impact to security of the area, resulting from the proposed development. This objection principally relates to the level of permeability within the site and through to the surrounding area.

6.8 As this application is for outline planning permission, the layout has not been explicitly detailed as part of this application. Therefore, the permeability through the site would be detailed as part of reserved matters applications. In its current form, the proposed development provides a single vehicle access and an additional pedestrian access. Such an arrangement is not considered to present an overly permeable site. With this in mind, and due to the outline nature of the

application, the development is not considered to present an unacceptable adverse impact in terms of security.

**Human Rights and Equality Act issues**

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

**Recommendation:**

That Planning Permission be approved subject to the following:

**RECOMMENDED CONDITIONS / REASONS**

- 1 Applications 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.

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

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

- 3 The development shall be implemented in accordance with the approved Travel Plan (June 2018).

Reason: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 4 **Prior to the commencement of the development, hereby approved, a detailed surface water drainage scheme for the site, based on the**

**agreed Flood Risk Assessment and Sustainable Drainage Statement (June 2018) and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to the Local Planning Authority for approval in writing. 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 the NPPF. These details are required prior to the commencement of development, as any construction may limit the ability of the development to provide adequate SuDS arrangements.**

- 5 Prior to the occupation of the development, hereby approved, 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 shall be submitted to the Local Planning Authority for approval in writing. The surface water drainage system shall be maintained in accordance with the approved details thereafter.

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 and the NPPF.

- 6 **Prior to the commencement of development, an Ecological Enhancement Strategy (EES) shall be submitted to the Local Planning Authority for approval in writing. The EES shall contain the following:**
- (A) Review of the site potential and constraints as informed by species survey;**
  - (B) Purpose and conservation objectives for the proposed works;**
  - (C) Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB and BCT guidelines on appropriate scale maps and plans;**
  - (D) Details of lighting considerations to prevent disturbance to bats;**
  - (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 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.**

**Reason: To secure a net gain in terms of biodiversity, in accordance with DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF. These details are required prior to the commencement of development, as any construction may limit the ability of the development to provide net gains in terms of biodiversity.**

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

**Reason: This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to the National Planning Policy Framework that requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).**

- 8 Prior to the occupation of the development, hereby approved, the junction of the proposed vehicular access (altered road priority layout) with the highway shall be constructed in accordance with the approved details on Drg DWG-02 Rev C and retained thereafter. Furthermore, no building shall be occupied until a speed table (circa 10m from the centre line of the new T junction layout) has been submitted to the Local Planning Authority, for approval in writing. The approved speed table shall have been constructed in accordance with the approved details, prior to the occupation of the development, and retained thereafter..

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 9 Prior to the occupation of the development, hereby approved, the visibility splay at the junction of the access with the public highway, as shown on the approved drawing (DWG-02 Rev C), shall be provided. All parts of the splays shall thereafter be kept free of all obstructions above the adjacent carriageway level.

Reason: To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them), in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 10 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road, in accordance with the adopted Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 11 Prior to the first occupation of the development, details of a PUFFIN signalled crossing (which would upgrade the Zebra crossing in near vicinity to Langford Village Academy on Church Street) shall be submitted to the Local Planning Authority for approval in writing. The PUFFIN signalled crossing shall be installed in accordance with a timescale to be agreed between the applicant and the Local Planning Authority and retained thereafter. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway to the crossing.

Reason: In the interests of road safety and pedestrian movement, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan, the adopted Design Guide and the NPPF.

- 12 Prior to the commencement of works above ground level a scheme for protecting the proposed dwellings from noise shall be submitted to the Local Planning Authority, for approval in writing. None of the dwellings hereby approved 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: To protect human health and residential amenity in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.

- 13 **No development shall commence until a foul water strategy has been submitted to the Local Planning Authority for approval in writing. 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: To prevent environmental and amenity problems arising from flooding, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF. These details are required prior to commencement as the viability of the strategy could potentially be affected by the commencement of the development.**

- 14 **No development shall be commenced until an estate street phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate street phasing and completion plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.**

**Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, in accordance with Policy DM3 of the adopted Local Plan, Policy HQ1 of the emerging Local Plan and the NPPF.**

- 15 Prior to commencement of any above ground building works, details of electrical wiring to accommodate facilities for charging plug-in and other ultra low emission vehicles for dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development protects and exploits opportunities for the use of sustainable transport modes for the movement of people in accordance with section 4 of the National Planning Policy Framework.

- 16 This consent relates only to the details shown on the submitted plans, numbers DWG-04, DWG-02 Rev.C, DE322\_003 Rev.C and DE322\_005.

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

## **INFORMATIVE NOTES TO APPLICANT**

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

2. The applicant is advised that in order to comply with a number of the highways conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)

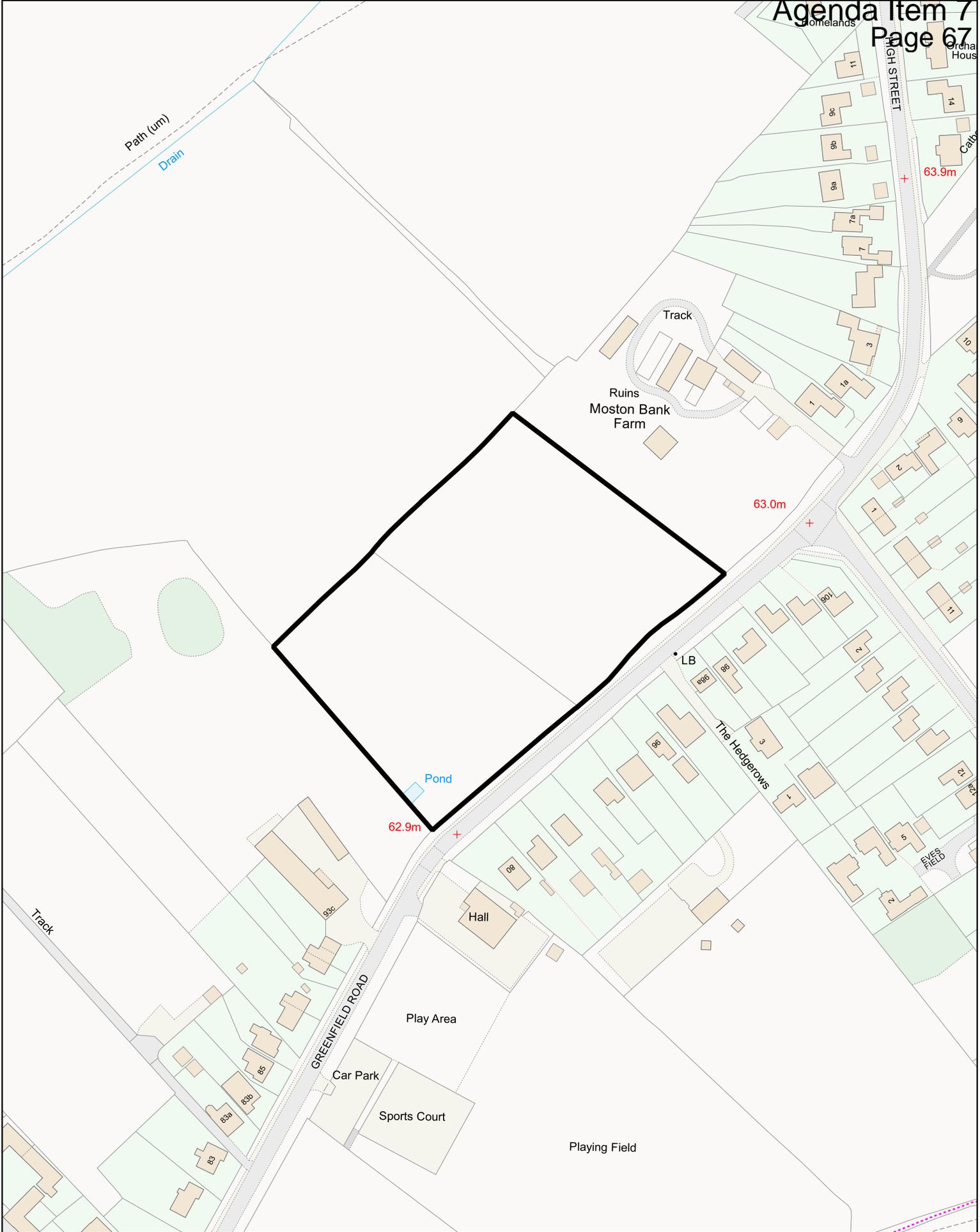
**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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Date Created  
19-11-2018

Application No.  
CB/18/02484/Full

Land Off Greenfield Road, Flitton,  
MK45 5DR

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**Item No. 7**

<b>APPLICATION NUMBER</b>	<b>CB/18/02484/FULL</b>
<b>LOCATION</b>	<b>Land off Greenfield Road, Flitton, Bedford, MK45 5DR</b>
<b>PROPOSAL</b>	<b>Residential development of 24 dwellings with associated open space, landscaping and access off Greenfield Road</b>
<b>PARISH</b>	Flitton/Greenfield
<b>WARD</b>	<b>Westoning, Flitton &amp; Greenfield</b>
<b>WARD COUNCILLORS</b>	<b>Cllr Jamieson</b>
<b>CASE OFFICER</b>	<b>Judy Martin</b>
<b>DATE REGISTERED</b>	<b>27 June 2018</b>
<b>EXPIRY DATE</b>	<b>26 September 2018</b>
<b>APPLICANT</b>	<b>GPS Estates Ltd</b>
<b>AGENT</b>	<b>Woods Hardwick Planning</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call-in by Ward Member and it is a major application and the Parish Council have raised an objection.</b>
<b>RECOMMENDED DECISION</b>	<b>Recommend Approval</b>

**Summary of recommendation:**

The application site has extant outline planning permission for 24 dwellings which expires November 2019. The current application is largely compliant with the indicative layout considered for the outline consent although there is an additional access (which serves 3 properties).

A different residential scheme for 13 dwellings on the front part of the site also has outline permission which expires February 2020. This application included four access points along the site frontage

The proposal site is located close to but outside the defined settlement boundary. In the light of the planning history on the site it is considered that the proposed development would not have a significant and demonstrable harmful impact on the character of the area. The proposal incorporates affordable housing in what is considered to represent a sustainable location in planning terms. The layout and design of the development will create a high-quality environment and not result in material harm to the living conditions of neighbouring properties. Other planning matters including flood risk, contamination, trees & landscapes, ecology and highways are either neutral or able to be mitigated appropriately through planning conditions.

**Site Location:**

The site lies at the southern end of the village of Flitton on the western side of Greenfield Road. The site comprises a roughly rectangular parcel of agricultural land. Bisecting the site is an existing foul water pipe which requires a 3m easement zone. Similarly, the existing ditch that also bisects the site requires a 5m maintenance strip from the top of the bank. It is bound on three sides by mature hedgerow and trees and

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

### **The Application:**

Full planning permission is sought for the erection of 24 dwellings with access onto Greenfield Road.

The development incorporates the provision of 16 open market dwellings – 5no 5 bed; 8no 4 bed and 3no 4 bed bungalows.

8 dwellings are proposed to be affordable incorporating 4no 3 bed; 2no 2 bed; 1no 2 bed maisonette and 1no 1 bed maisonette.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (July 2018)**

#### **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  
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  
DM10 Housing Mix  
DM14 Landscape and Woodland  
DM15 Biodiversity

#### **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application: SP1, 7, HQ1, 2, 4, 11, EE1, 2, 3, 4, 5, 13, T1, 2, 3, 4, 5, 6, HA1, H1, 4.

**Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

**Relevant Planning History:**

<b>Case Reference</b>	<b>CB/16/02069/OUT</b>
Location	Land Off Greenfield Road, Flitton
Proposal	Outline: Development of up to 13 residential units
Decision	Outline Application - Granted
Decision Date	02/02/2017

<b>Case Reference</b>	<b>CB/15/03958/OUT</b>
Location	Land off Greenfield Road, Flitton, Beds
Proposal	Residential development of up to 24 dwellings plus associated open space and landscaping
Decision	<p>Outline Application – Refused for the following reasons:</p> <p><i>The site is outside of the Flitton Settlement Envelope and is within the open countryside. The development would cause significant and demonstrable harm to the character and appearance of the area by extending built development in to the countryside. The scale and form of the development would not respect the linear nature of Flitton Village and would be overdevelopment of the site. The development would conflict with the objectives of the National Planning Policy Framework (2012) and Policies DM3 (High Quality Development) and DM4 (Development Within and Outside of Settlement Envelopes) of the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (a guide for development).</i></p> <p><i>In the absence of a completed legal agreement securing financial contributions and the provision of affordable housing, the development would have an unmitigated and unacceptable impact on existing local infrastructure and would fail to make an acceptable contribution towards local affordable housing stock. The development would be contrary to the objectives of the National Planning Policy Framework (2012), Policies CS2 (Developer Contributions) and CS7 (Affordable Housing) of the Central Bedfordshire Core Strategy and Development Management Policies (2009)</i></p> <p><i>Insufficient information has been submitted in relation to the surface water drainage scheme and the future access and maintenance requirements of the watercourse/ ditch within and bounding the site to ensure that they are appropriately managed, contrary to Policy CS13 of the Core Strategy and Development Management Policies for Central Bedfordshire (North) and the NPPF.</i></p> <p><i>Insufficient information to assess the impact of odour, noise and smoke from an adjacent business (Oakley Brothers Smokehouse) on future</i></p>



Adult Social Care (MANOP)	The revised proposal meets the policy requirement and we are therefore supportive of the application from this perspective. Notwithstanding the submitted plans, these dwellings should be of a design and layout that makes them suitable for older people in accordance with the standards set out in the appendix to this response (available on the website).
SuDS Management Team	No objection subject to the specified conditions
Anglian Water Services LTD	An advisory letter/note which can be found on the Council's Website
Pollution Team	No objection subject to the specified conditions
Community Safety Officer	No comments received
Fire Safety	An advisory letter/note which can be found on the Council's Website
Landscape Officer	No objection subject to the removal of the 1.8m high close board timber fencing along the north-eastern side boundary. The planting plan is acceptable to the Tree & Landscape Officer
Environment Agency	No objection
Internal Drainage Board (IDB)	The site is outside of the Board's district
Tree & Landscape Officer	No objection

**Other Representations:**

Neighbours: 11 letters of objection were received to the scheme as submitted. The applicant wished to revise the scheme and a further period of consultation was undertaken. 2 objections were subsequently received.

**Current objections:**

- The reduction from 3 to 2 entrances is still one too many from a safety point of view;
- The developer is trying to wriggle out of paying s106 money to the village;
- There are no amenities or community infrastructure to support this development;
- It would disrupt wildlife and destroy the established nature reserve;
- Increase in traffic etc causing more congestion / noise / emissions / pollution and danger to pedestrians, particularly school children.

**Some of the original concerns raised have now been resolved but the initial comments received area as following:**

s106

If the development is subject to a s106 agreement it should include some benefit to the community;

Re: affordable - 8 affordable homes on a site of 24 is 33.3%. Should this not be 9 affordable homes (35%);

### Highway safety

The parking doesn't seem adequate

Pedestrian safety - this is the main walking route from Flitton to the village hall and to the school etc.

The 3 access are unnecessary (comments received to the original scheme)

There is no footpath on the other side of the road

### Habitat

Inadequate remedial measures

### Trees & landscape

Disappointing landscaping plans

There are no specific proposed details

There is no justification for removing the front hedgerows

Some of the hedgerow appears to be within highway land

### Design /Housing mix

It doesn't seem to accord with the council's guidance - smaller units are more in demand

Not in-keeping with the area

### General comments

There are flooding issues on the site

Not a particularly sustainable location

The infrastructure cannot cope

A number of conditions will be required to ensure the delivery of the site is to the level which protects neighbours and the community from any safety or loss of amenity

Drainage issues

### **Determining Issues:**

The main considerations of the application are;

1. Principle
2. Sustainable location for development
3. Affect on the Character and Appearance of the Area
4. Neighbouring Amenity
5. Highway Considerations
6. Other Considerations
7. Sustainable objectives

### **Considerations**

#### **1. Principle**

The site has extant outline planning permission. Planning application CB/15/03958/OUT was allowed by the Planning Inspectorate and 16/02069/OUT was approved at Development Management committee on 01 February 2017.

Is it therefore considered that the principle of residential development on the site is acceptable.

In addition, the site was put forward for allocation (NLP164) in the current local plan. The site was acceptable in regard to 'Flood Risk', 'Designations', 'Relationship to Settlement', 'Critical Infrastructure' and 'Availability'. The site was not continued to the next stage as the site has already gained outline permission for up to 24 dwellings.

## 2. Sustainable location for development

Flitton is a 'small village' with a modest degree of facilities (public house; village hall; village school and bus services to Flitwick etc). The site is adjacent to but outside of the Settlement Envelope. There are dwellings of mixed sizes and styles on the other side of the road so the site is not isolated.

Outline planning permission has been previously granted for the site.

Positive weight can also be given to the provision of housing including a policy compliant level of affordable housing given the evidence base which supports the emerging Local Plan in respect of the need for housing.

## 3. Character and appearance

The application site is located close to but outside of the defined settlement boundary, at the southern end of the village. The existing trees and hedgerows surrounding the site will be retained, other than those required to be removed to accommodate the access. Additional planting is proposed together with an area of open space located at the rear of the site, which will include attenuation ponds which form part of the drainage strategy for the site. It is intended that this area of open space will support the creation of new habitat.

Policy CS1 of the Core Strategy identifies Flitton as a small village '*where development will be limited in overall scale*' and states that the Site Allocations DPD '*will make small scale allocations for new homes that reflect the size and character of the community*'. Policies CS14 and DM3 require new development to be of a high-quality design that reflects local context, is appropriate in scale and design to its setting. These policies are broadly consistent with the National Planning Policy Framework in so far as they relate to the settlement hierarchy and seek high quality design.

The open space to the rear of the site, together with the retained hedgerow, would provide a landscaped buffer between the proposed dwellings and the open countryside beyond. In the previous Appeal the Inspector did not consider that the development in this location would result in the coalescence of Flitton and Greenfield.

In conclusion, it is considered that the proposal would deliver the high quality design sought by development plan policies, and would be appropriate in scale and design to its setting. The proposal is considered to comply with policies CS14 and DM3 and would not result in harm to the character and appearance of the area.

#### **4. Neighbouring Amenity**

Given the location of the site there are no immediate residential properties that would be directly affected by the proposal (by reason of overbearing impact, loss of light and privacy).

With regards to the impact upon the residential amenity of neighbouring plots within this application it is considered that the proposed privacy distances and the scale of the proposed houses would not result in unacceptable overlooking or loss of privacy to future occupiers of the development. The rear gardens accord with the provisions of the Council's design guidance.

The proposal would conform with policies CS14 & DM3 of the Core Strategy for the North of Central Bedfordshire, the Central Bedfordshire Design Guide and Section 7 of the NPPF.

#### **5. Highway Considerations**

The application has the benefit of outline planning permission for up to 24 dwellings.

The original plans (as submitted) required the removal of the boundary ditch and hedge to accommodate a 2.0m footway along the length of the development. The Highways Officer raised a number of concerns over the original plans (as submitted). Following discussions with the Highways Officer a revised scheme was submitted.

Whilst the concerns raised through the consultation process are noted no objection is raised by Highways Development Management (subject to the specified conditions) and it is considered that the existing road network would be able to sustain (in a safe manor) the additional traffic.

#### **6. Other Considerations**

##### **6.1 Flood Risk**

Council Officers consider that planning permission could be granted with the final design and maintenance arrangements for the surface water system controlled through the specified conditions.

##### **6.2 Ecology**

The scheme is similar to that of the approved CB/15/3958 and the same ecological documents have been supplied. Whilst these are 3 years old now the use of the site hasn't appeared to have changed so they are still relevant as are the specified advisory notes.

- The reptile survey notes that there are reptiles on site and proposes a scheme of vegetation clearance prior to commencement of works to deter reptiles from construction areas. Any vegetation clearance should follow the guidelines in 5.4 of the reptile survey and should be limited to between the months of April and Sept inclusive.

- There are opportunities to retain and create areas of suitable habitat for Common Lizard in association with areas of public open space on the north/west site boundary - where the lizard was located, an element of rough and meadow grassland here would be beneficial.
- The use of locally native species for the boundary features is welcomed and a landscaping scheme for the remainder of the site utilising nectar / berry rich species to benefit wildlife would be expected.

No objection is raised by the Ecology Officer. Previous concerns over the loss of a hedgerow and open ditch have been overcome through the revised scheme.

### **6.3 Pollution Team**

Public Protection raised concerns regarding noise smoke and odour from the adjacent meat smoking facility on the previous submission ref: CB/15/03958/OUT. This application was refused on a number of grounds which included those raised by the Pollution Team. However, an appeal was made and allowed and planning permission was granted for 24 residential units as per this application. No conditions were placed on the permission in relation to noise, smoke or odour as the Inspector considered there not to be any significant chance of amenity being affected. Whilst the Pollution Team maintains their concerns about these matters they make no objections due to the decision in the appeal but request that appropriate conditions be attached to any grant of permission.

### **6.4 Landscape and Trees & Landscape**

Following concerns raised by the Council's Officers a revised scheme was submitted which incorporates the retention of the existing hedgerow to Greenfield Road. There are no objections to the revised scheme subject to the recommended conditions/advisory notes.

### **6.5 S106 and contributions**

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. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. 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. Emerging policy in the Local Plan sets out a similar requirement.

Comments to the application were received from the following 'Spending Officers' (Education and Leisure).

No comments were received from the following 'Spending Officers' (Early years; Community halls; Libraries; Sustainable Transport Walking & Cycling; Transport).

### **6.6 Affordable Housing**

Strategic Housing support this application as it provides for 8 affordable homes which reflects the affordable housing policy requirement of 35% and complies with permission CB/15/03958/OUT. The supporting documentation indicates the

application fully complies in terms of tenure of the affordable units with provision of 73% affordable rent (6 affordable rented units) and 27% shared ownership (2 shared ownership units). The scheme will be delivering the following affordable housing;

Unit Type	Affordable Rent	Shared Ownership
2 Bed House	2	2
3 Bed House	4	0
<b>Total</b>	<b>6</b>	<b>2</b>

The Strategic Housing Market Assessment (2017) has identified the main affordable unit types of need as being 2 bed houses and 3 bed houses. The affordable units provided through this scheme will be delivering affordable housing in line with the identified requirements of the SHMA, whilst providing affordable rented accommodation for those in greatest housing need and low cost home ownership opportunity through the provision of shared ownership for those unable to buy on the open market.

The site layout plan indicates the affordable units are not dispersed throughout the site and integrated with the market housing to promote community cohesion and tenure blindness. Whilst the affordable units are not dispersed throughout the site, the cluster of 8 affordable dwellings is within the remit of being acceptable. We expect the units to meet all nationally described 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. Strategic Housing are supportive of the application.

**6.7** The applicant has agreed to make the following contribution: -

- **£7,850** towards the Parish Council's project for the provision of new changing room facilities, including upgraded parking, access and security enhancements at the recreation ground.

The above contribution is considered to meet the tests as set out in the CIL regulations and will help offset the impact of the development on existing infrastructure.

**6.8** An application of this nature would normally be required to provide financial contributions towards Education; however, contributions are not being sought in this particular case. This is due to the exceptional circumstance of having an existing permission in place which does not include any education contributions.

The site has planning permission in place, under a separate application, ref CB/15/03958/Out. No S106 contributions were sought for education as part of the original application and permission for that site was granted at appeal. In addition, outline consent was granted for 13 dwellings under application CB/16/02069/Out with no S106 contributions for education sought from this application.

Any further planning applications within the Flitton area will be subject to the standard assessment of the need for education contributions on a case-by-case

basis. The removal of the request for contributions by the Education Officer from this site does not set a precedent for other sites in the local area.

**6.9 Human Rights and Equality Act issues:**

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.

**7. Sustainable Development**

**7.1 Economic and social objectives**

There would be social and economic benefits associated with the provision of Dwellings, including support for the vitality of rural communities as envisaged in Paragraph 78 of the Framework.

In terms of the economic dimension, the development will have benefit in the short term associated with the construction phase of implementing the development.

The social dimension of sustainable development relates mainly to the provision of housing – the provision of housing will have very significant impact in helping maintain housing supply and such a matter would also weigh in favour of the proposal.

**7.2** This report has accepted that Greenfield is a small village but that the Inspector in the previous Appeal considered that the village can accommodate the growth resulting from this scheme.

**7.3** The development will provide modest contributions towards Leisure (outdoor sport).

**7.4** It is noted that an application of this nature would normally be required to provide financial contributions for Education. However, due to the exceptional circumstance of having an existing permission in place which does not include any education contributions they are not being sought in this particular case. The removal of the request for contributions from this site does not set a precedent for other sites in the local area.

**7.4 Environmental objective**

The site does provide environmental benefits through the areas of green attenuation space which will assist in habitat retention and creation as well as providing green open space and pleasant surroundings for future occupiers. Existing trees and hedgerows on the edges of the site are mostly retained and where possible enhanced. Additional planting to create dense landscape boundaries will form part of the development proposals, particularly where the site adjoins the open countryside. Matters relating to flood risk, climate change, tree impact, ecology are either neutral or able to be controlled positively through planning conditions.

**7.5** There is likely to be some landscape and visual impact associated with the development in terms of the siting of the development and relationship with viewing

points. However, the plans submitted demonstrate that retention and provision of new green infrastructure and buffer planting will mitigate any such impact.

## 8. Conclusion

The NPPF is a material consideration in the determination of planning applications and this sets out that there is a presumption in favour of sustainable development and there is a need to boost the supply of housing. The site has previously been identified as a sustainable location for development. For the reasons outlined above the development is considered to be sustainable and no significant harm to material considerations is identified.

### Recommendation:

That Planning Permission be **APPROVED** subject to the signing of a S106 agreement and the planning conditions outlined below:

### RECOMMENDED CONDITIONS / REASONS

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

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

- 2 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (June 2018) 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.**

**The applicant should address the concerns outlined in 'Notes 2-8' when submitting details to discharge the condition.**

**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.**

- 3 Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment.

- 4 The development shall be carried out in accordance with the Construction Method Statement (ref. GPSLH/GFF) and shall be adhered to throughout the construction period for the development.

Reason: For the avoidance of doubt

- 5 All works to or affecting trees and hedgerows on or adjoining the site shall be carried out in accordance with the Landscape Proposals Drawing RevB (dated 5/11/18) and any measures thereby included shall be fully implemented until the development is completed.

Reason: To safeguard the existing trees and hedgerows on the site in the interests of visual amenity.

- 6 Notwithstanding the details submitted as part of the application, details of the proposed boundary treatment including the position, design and materials shall be submitted and approved in writing by the local planning authority. The boundary treatment shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity

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

Reason: To control the external appearance of the buildings in the interests of the amenities of the area and the housing mix across the development.  
(Section 13, NPPF)

- 8 To ensure that the site delivers net gains for biodiversity an ecological enhancement scheme / strategy should be submitted (prior to construction works above ground) to the Local Planning Authority for written approval. The scheme should be based on the recommendations at section 15 of the Arbtech Preliminary Ecological Appraisal, submitted with the application. The development shall be implemented and maintained in accordance with the approved scheme and a programme of implementation.

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

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

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

- 10 No building shall be occupied until the junctions between the proposed estate roads and the highway have 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.

- 11 Visibility splays shall be provided at all private means of access from individual properties within the site onto the estate roads. This vision splay shall be provided on each side of the access drive and shall be 2.8m measured along the back edge of the new highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splay so described and on land under the dwelling occupier's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the new estate road and the new individual accesses, and to make the accesses safe and convenient for the traffic which is likely to use them.

- 12 Before an access onto estate road is first brought into use, a triangular vision splay shall be provided on each side of the new access drive and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the footway into the site along the centre line of the anticipated vehicle path. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

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

- 13 Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 14 Visibility splays shall be provided at all private means of access from individual properties within the site onto the estate road. The minimum dimensions to provide the required splay lines shall be 2.0m measured along the centre line of the private means of access from its junction with the channel to the through road and 25m measured from the centre line of the access along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 15 Before the new access is first brought into use, 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.

- 16 The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway.

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

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

- 18 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.

- 19 The driveway length in front of the garages shall be at least 6.0m as measured from the garage doors to the highway boundary.

Reason: To ensure that parked vehicles do not adversely affect the safety and convenience of road users by overhanging the adjoining public highway.

- 20 If the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the highway in the interest of road safety.

- 21 Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during construction of the development are in a

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

Reason: To minimise the impact of construction vehicles and to improve the amenity of the local area.

- 22 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered as following:

Site Plans

18110/1001B (planning layout); 18110/1002B; 118110/1003B; 8110/1004B; 18110/1005B; 18110/1006A; 0162-7-850; 18138/flit/5/101A (roadworks, drainage & proposed finished floor levels (part of FRA Document)

Landscaping

3500.Flitton.WH.LSP.revB (Landscape Proposals dated 5/11/18);  
3500.Flitton.WH.LS.B (Landscape Specification & Maintenance);  
3500.Flitton.WH.TPP.revA (Tree protection plan); AI plan  
3500.Flitton.WH.AIP revA; AIA & Method Statement 3500.Flitton. WH.AIA RevA

Site Documents

Construction Method Statement (GPSLH/GFF)

Market Housing & Affordable Housing

18110/100; 18110/101; 18110/102; 18110/103; 18110/104; 18110/105;  
18110/106A; 18110/107A; 18110/110A; 18110/111A; 18110/112A;  
18110/113A; 18110/114; 18110/115; 18110/116A; 18110/117

Ancillary Building (Garages)

18110/118; 18110/119

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

**INFORMATIVE NOTES TO APPLICANT**

1. In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
2. The FRA states - 3.15 From the EA's Surface Water Flood Map for the site shown in Appendix F, the south-western section of the site for the most part is shown to be at a very low risk of surface water flooding. The northern eastern section of the site is largely shown to be at a low risk of surface water flooding. As would be expected, the route through which the surface water ditch takes through the site is noted as being at a high risk of surface water flooding, albeit only with the extents of the ditch. The land situated

immediately adjacent to the ditch is shown to be at a low risk of surface water flooding.

3. The catchment of this site accepts surface water from across the road in two positions, this should be taken in to account as a primary flow path. Work on the watercourses to accomplish capacity requirements will require consent from the IDB.

We do not support culverting, this only produces a pinch point that could be blocked or overwhelmed. If culverting must happen to make this a viable site we will require modelling to show the culvert can manage all current surface water (minimum 100+40% rainfall event in the catchment) as well as that proposed to be diverted to it (discharge from pond).

4. The IDB consent work on/around existing watercourses and agree discharge rates on behalf of CBC. Confirmation of their agreement to this system is required to be submitted to the LPA. This should include discharge rates and culverts.

Your FRA states - 4.42 The LLFA is responsible for the maintenance of the open ditches to which the surface water network will discharge, and this will continue to be the case post development. As can be appreciated from the Drainage Strategy and Planning Layout drawings, in accordance with the future maintenance for the open ditch which passes centrally through the site; a 5m easement measured from the north-eastern top of the bank has been provided. This easement has been previously agreed with the LLFA.

5. The LLFA/CBC do/will not maintain these watercourses. Development will require culverted and open watercourses adjoining/within this site to be included in the maintenance plan. Riparian responsibility is not considered a sustainable method of management for a surface water drainage system.

6. 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).

7. 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.

Note that Land Drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to existing watercourses, and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for

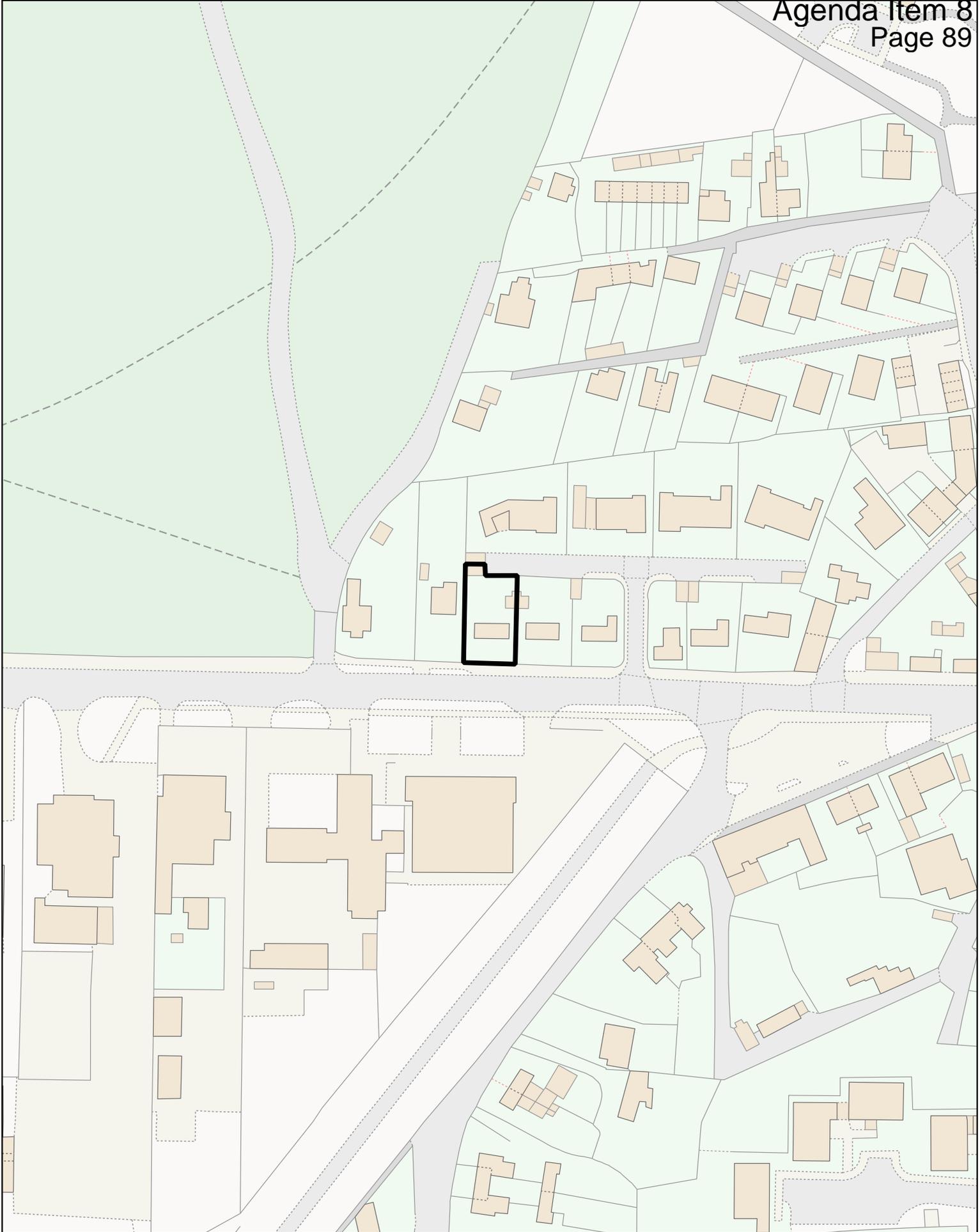
maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

8. The scheme is similar to that of the approved CB/15/3958 and the same ecological documents have been supplied. Whilst these are 3 years old now the use of the site hasn't appeared to have changed so they are still relevant and the following is still applicable.
  - The reptile survey notes that there are reptiles on site and proposes a scheme of vegetation clearance prior to commencement of works to deter reptiles from construction areas. Any vegetation clearance should follow the guidelines in 5.4 of the reptile survey and should be limited to between the months of April and Sept inclusive.
  - There are opportunities to retain and create areas of suitable habitat for Common Lizard in association with areas of public open space on the north/ west site boundary - where the lizard was located, an element of rough and meadow grassland here would be beneficial.
  - The use of locally native species for the boundary features is welcomed and a landscaping scheme for the remainder of the site utilising nectar / berry rich species to benefit wildlife would be expected.
9. 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, P.O.Box 1395, Bedford, MK42 5AN.
10. The applicant is advised that if it is the intention to request the Central Bedfordshire County Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Planning and Control Group, Central Bedfordshire Council's Highway Help Desk, P.O.Box 1395, Bedford, MK42 5AN. 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.
11. The applicant is advised that in order to comply with Condition 16 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)
12. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in central Bedfordshire (Design Supplement 10 – Movement, Street and Places" and the Department of the Environment/Department of Transport's "Manual for Street", or any amendment thereto.

**DECISION**

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Date Created  
19-11-2018

Application No.  
CB/18/02832/Full

55 Woburn Street, Amphill,  
MK45 2HX

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**Item No. 8**

**APPLICATION NUMBER**      **CB/18/02832/FULL**  
**LOCATION**                      **55 Woburn Street, Ampthill, Bedford, MK45 2HX**  
**PROPOSAL**                    **Erection of two storey rear extension**  
**PARISH**                        **Ampthill**  
**WARD**                          **Ampthill**  
**WARD COUNCILLORS**      **Cllrs Duckett, Blair & Downing**  
**CASE OFFICER**              **Sarah Fortune**  
**DATE REGISTERED**        **08 August 2018**  
**EXPIRY DATE**                **03 October 2018**  
**APPLICANT**                 **Ms Whitehead**  
**AGENT**                        **Aragon Land & Planning Ltd**  
**REASON FOR**                **Application called in by Cllr Duckett**  
**COMMITTEE TO**  
**DETERMINE**

**RECOMMENDED**  
**DECISION**                      **Recommended for Refusal**

**Site Location:**

The site lies on the north side of Woburn Street at the edge of the main built up area of the town of Ampthill and within the Ampthill Conservation Area.

It supports a two/three bedroomed, thatched, vernacular Grade II listed building dating back to 1816. It is part of a group of six thatched cottages built by the Duke of Bedford to house estate workers. It has eyebrow windows and a brick chimney. There is a ribbon of similar aged and designed Grade II Listed cottages to the east and a new house to the west of the application site.

**The Application:**

This application is for the erection of a two storey rear extension to provide for a garden room, kitchen, utility and wet room on the ground floor with a bedroom and en suite above. The ground floor of the existing cottage is to be used as a dining room and sitting room as at present. A small, single storey flat roofed link extension is to be constructed between the existing property and the proposed extension. There is an accompanying listed Building application under ref: CB/18/02831/LB.

The applicant sets out in the Design and Access Statement that the extension is to provide accommodation for a disabled child. The applicant's daughter suffers from medical conditions and requires a good sized double bedroom with en suite facilities.

**RELEVANT POLICIES:**

**National Planning Policy Framework (NPPF) (July 2018)**

DM3 Amenity  
DM13 Heritage  
CS15 Heritage

### Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

HQ1 High Quality Development  
HE3 Built Heritage

### Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014):  
Supp 7: House Extensions and Alterations  
Supp 3: Heritage

Amphill Conservation Area Document dated 22/04/2005:

### Relevant Planning History:

Application ref:	MB/03/01835/LB
Description of development	Conservatory to rear.
Decision	Withdrawn
Decision date	25/11/2003

Application ref:	MB/03/01838/LB
Description of development	Conservatory to rear
Decision	Withdrawn
Decision date	25/11/2003

**Consultees:**

Amphill Town Council	Whilst sympathetic to the reason for the extension the application is not supported due to the large scale of the proposed extension which the Town Council feel is overdevelopment of the land. The height of the extension would be visible from Woburn Street thereby having an adverse impact on the street scene and this group of 18th Century listed thatched 'Ossory' cottages situated in the Conservation Area. The extension would result in a permanent loss of garden amenity. The extension as proposed would appear to be a self-contained dwelling and there is concern that it could form part of a separate sale in the future.
Conservation Officer	Objects on grounds that the extension will have an adverse impact on the character and appearance of the Listed Building and the Amphill Conservation Area.
Archaeology Officer	No objections as the nature of the proposals will not have a major impact on any surviving archaeological remains of the heritage asset of the historic core of the town of Amphill (HER 16994).

**Other Representations:**

Neighbours	No obs received
App Adv	

**Determining Issues:**

The main considerations of the application are;

1. Principle
2. Impact on the Character and Appearance of the Grade II listed cottage and the Amphill Conservation Area.
3. Impact on amenities of neighbours
4. Highway Considerations
5. Other Considerations
6. Conclusions

**Considerations**

**1. Principle**

- 1.1 The site lies on the edge of the built up area of the town of Amphill where there are no objections to the principle of carrying out extensions and alterations to dwellings provided that they are in keeping with the character of the property and the visual amenities of the wider Conservation Area. There must also be no adverse impact on the amenities of any neighbours and adequate access and parking facilities.

**2. Impact on the character and appearance of the Grade II Listed cottage and the Ampthill Conservation Area.**

- 2.1 The proposed extension projects to the rear by rear by 8 metres and a width of 5 metres with a covered walk way along the east side with a width of 1.4m and extending the entire depth of the proposed rear extension. The first floor is to have a depth of 6m and a width of 5m with a pitched and asymmetrical roof - having one long sloping roof - with a ridge height of 6.7 metres. The ridge is set down from the ridge of the dwelling by 0.5 metres. There are to be windows in three elevations with the elevation facing the cottage being blank apart from a door. The main elevation is to face east towards number 51/53 Woburn Street.
- 2.2 The group of listed buildings, of which this property is one, was listed in 1951 and it has significant value in terms of aesthetic, historic and communal value nationally and in Bedfordshire given the historic connection to the Bedford Estates. Most importantly is the aesthetic and vernacular architectural merits given the limited examples still existing nationally. They are described in the Ampthill Conservation Area document dated 2005 as a *'fine and picturesque group.'*
- 2.3 The proposed extension would appear as a large scale and bulk and create a harmful juxtaposition against the modest thatched cottage. The proposed extension would not appear as being subservient to the main and original dwelling but would appear as an overly large extension quite out of keeping with the character of this modest sized cottage to the detriment of its character and appearance. This would be in conflict with the design guide on House Extensions and Alterations and in conflict with planning policies in the Core Strategy and Development Management Planning Document dated 2009. No details are shown as to how the physical connection between the historic building and the new extension would be carried out.
- 2.4 It is noted that some extensions have been carried out in other buildings within the group listing, however, these were carried out in the 1970's and therefore limited weight is given to them.
- 2.5 The applicant has referred to nearby former Duke of Bedford cottages - which are also Grade II listed - and which have rear two storey and single storey extensions. No planning history can be found in relation to those extensions and, in any event, the existence of these extensions should not set a precedent for allowing the proposed two storey rear addition which is in conflict with current planning advice at both national and local level.
- 2.6 For the reasons previously identified, the proposal would have a harmful impact on the character and significance of the Ampthill Conservation Area. The development would be visible from Woburn Street infilling a gap between the listed building and the new dwelling at 55a Woburn Street.
- 2.7 The extension would, because of its siting, scale, bulk and incongruous relationship with the Grade II listed host dwelling, fail to represent the high

standards of design expected for an extension to a listed building in Conservation Area.

- 2.8 Whilst the personal circumstances of the applicant have been given very careful consideration it is considered that such circumstances cannot outweigh the previously mentioned strong design and conservation objections to the proposed rear extension.

### **3 Impact on amenities of neighbours**

- 3.1 To the west is a new detached house. This neighbouring property has some small secondary windows at first and second floor levels - and two openings in the ground floor which presently face onto a 2m high close boarded fence. There are to be two high level rooflights in the west facing elevation of the proposed extension facing this neighbour. Accordingly, there will be no harmful impact on the living conditions of this neighbour.
- 3.2 The house to the east at number 53 has a gap of 5m up to the shared boundary with the application site from the side of the extension and then the house itself is at a further distance of 2.2 metres from the shared boundary with 53 Woburn Street. There is to be a bedroom window at first floor looking towards the rear garden of number 53. The applicant has advised that this window can be fitted with obscure glazing to prevent the potential for overlooking.
- 3.3 There is a first floor stairwell window in the rear facing elevation but the houses to the rear are on the other side of Russett Close by over 13 metres and there will be no harmful impact on their living conditions of neighbours to the rear.

### **4. Highways Considerations**

- 4.1 The existing property is two/three bedroomed with one of the rooms being very small. The proposed extension is to create a new bedroom at first floor level. There is one parking space in a garage to the rear of the property which is accessed from Russett Close to the north and unrestricted on street parking to the front of the site which is considered to be acceptable.

### **5. Other Considerations**

#### **5.1 Human Rights and Equality Act Issues.**

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.

### **6. Conclusions**

- 6.1 It is considered that the proposed rear extension by reason of its size, scale form and design together with its relationship with the listed building would result in a harmful impact on the character and appearance of the dwelling. It would also fail to preserve the character and appearance of the Ampthill Conservation Area. The development is therefore in conflict with planning policies DM13 and CS15 in the Core Strategy and Development Management Planning Document dated 2009 and section 16 of the NPPF.

**Recommendation:**

That Planning Permission be refused for the following reason:-

**RECOMMENDED REASON**

- 1 The proposed extension by reason of its size, scale, form and design and relationship with the Grade II listed building would result in a harmful impact to the character and appearance of the dwelling and fails to preserve or enhance the character or appearance of the Ampthill Conservation Area. The proposed development is therefore contrary to policies DM13 and CS15 of the Core Strategy and Development Management Planning Document dated 2009 and section 16 of the NPPF.

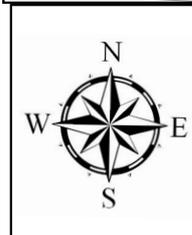
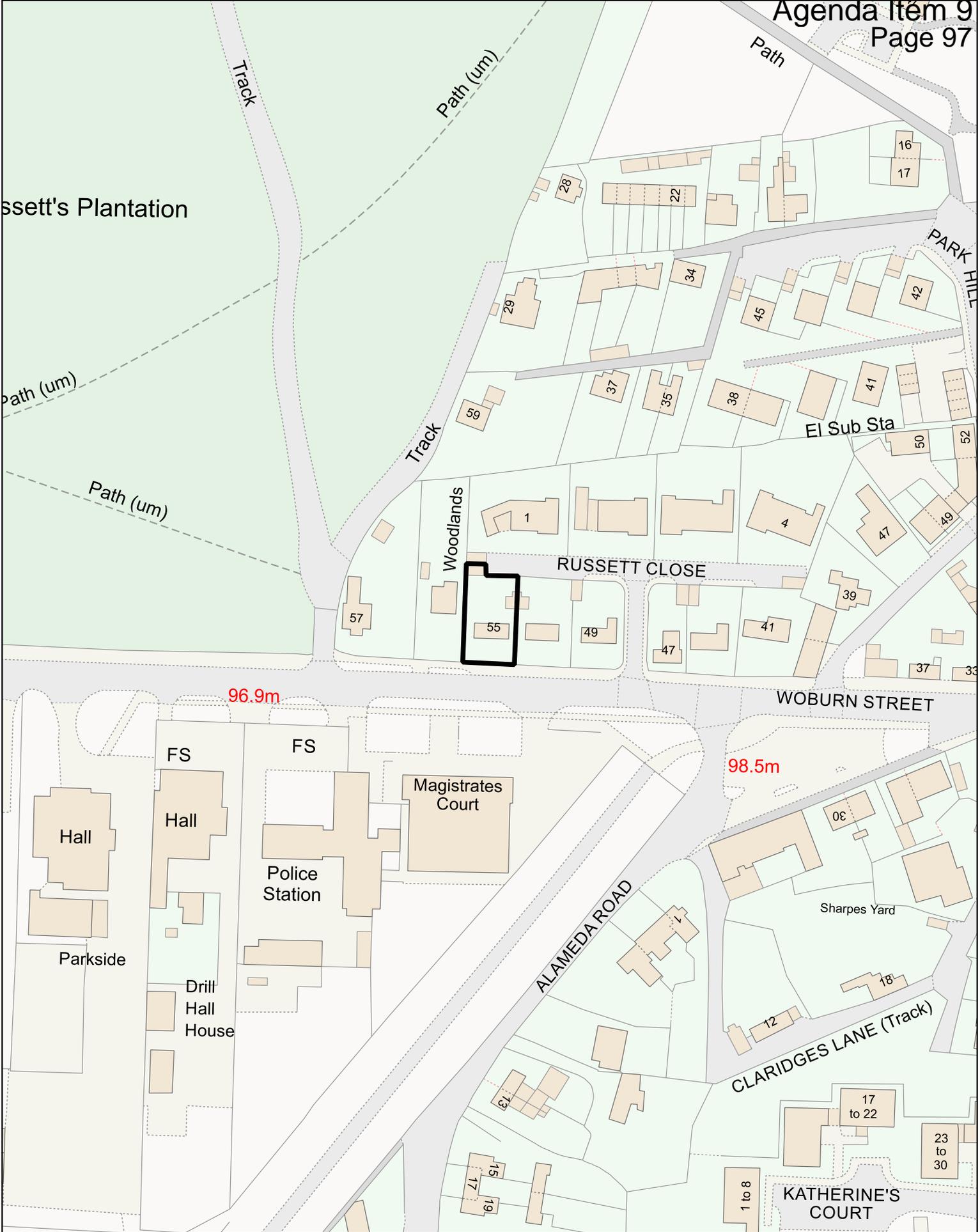
**INFORMATIVE NOTES TO APPLICANT**

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

In the Council's view the proposal is unacceptable in principle. Dialogue took place prior to the submission of the application but fundamental objections were not overcome. The Council has therefore complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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Date Created  
19-11-2018

Application No.  
CB/18/02831/LB

55 Woburn Street, Amptill  
MK45 2HX

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**Item No. 9**

**APPLICATION NUMBER**      **CB/18/02831/LB**  
**LOCATION**                      **55 Woburn Street, Ampthill, Bedford, MK45 2HX**  
**PROPOSAL**                    **Erection of two storey rear extension**  
**PARISH**                        **Ampthill**  
**WARD**                          **Ampthill**  
**WARD COUNCILLORS**      **Cllrs Duckett, Blair & Downing**  
**CASE OFFICER**              **Sarah Fortune**  
**DATE REGISTERED**        **08 August 2018**  
**EXPIRY DATE**               **03 October 2018**  
**APPLICANT**                 **Ms Whitehead**  
**AGENT**                        **Aragon Land & Planning Ltd**  
**REASON FOR**                **Call in by Cllr Duckett**  
**COMMITTEE TO**  
**DETERMINE**

**RECOMMENDED**  
**DECISION**                      **Recommended for Refusal**

**Site Location:**

The site lies on the north side of Woburn Street at the edge of the main built up area of the town of Ampthill and within the Ampthill Conservation Area.

It supports a two/three bed roomed, thatched, vernacular Grade II listed building dating back to 1816. It is part of a group of six thatched cottages built by the Duke of Bedford to house estate workers. It has eyebrow windows and a brick chimney. There is a ribbon of similar aged and designed Grade II Listed cottages to the east and a new house to the west of the application site.

**The Application:**

This application is for the erection of a two storey rear extension to provide for a garden room, kitchen, utility and wet room on the ground floor with a bedroom and en suite above. The ground floor is to be used as a dining room and sitting room as existing. There is to be a small single storey flat roofed link extension between the existing property and the proposed extension.

There is an accompanying Planning application under ref: CB/18/02832/Full.

**RELEVANT POLICIES:**

**National Planning Policy Framework (NPPF) (July 2018)**

**Core Strategy and Development Management Policies - North 2009**

DM3    Amenity  
DM13   Heritage  
CS15   Heritage

## Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

HQ1 High Quality Development  
HE3 Built Heritage

## Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014);  
Supp 7: House Extensions and Alterations  
Supp 3: Heritage

## Relevant Planning History: None

### Consultees:

Amphill Town Council      Whilst are sympathetic to the reason for the extension the application is not supported due to the large scale which is felt to be overdevelopment of the land. The height of the extension would be visible from Woburn Street thereby having an adverse impact on the street scene and this group of 18th Century listed thatched 'Ossory' cottages situated in the conservation area. The extension would result in a permanent loss of garden amenity. The extension proposed would appear as a self-contained dwelling and there is concern that it could form part of a separate sale in the future.

Conservation Officer      Objects on grounds that the proposed development of this Grade II listed building would not preserve or enhance its significance, character and setting.

## Other Representations:

Neighbours                      No obs received

App Adv

## Determining Issues:

The main considerations of the application are;

1. Impact on the significance of the designated heritage asset
2. Conclusions

## Considerations

### 1. Impact on the significance of the designated heritage asset

- 1.1 The proposed extension projects to the rear by 8 metres and a width of 5 metres with a covered walk way along the east side with a width of 1.4m and extending the entire depth of the proposed rear extension. The first floor is to have a depth of 6m and a width of 5m with a pitched and asymmetrical roof - having one long sloping roof - with a ridge height of 6.7 metres. The ridge is set down from the main ridge of the dwelling by 0.5m. There are to be windows in three elevations with the elevation facing the cottage being blank apart from a door. The main elevation is to face east towards number 51/53 Woburn Street.
- 1.2 The group of listed buildings, of which this property is one, was listed in 1951 and it has a significant value in terms of aesthetic, historic and communal value nationally and in Bedfordshire given the historic connection to the Bedford Estates. Most importantly is the aesthetic and vernacular architectural merits given the limited examples still existing nationally. They are described in the Ampthill Conservation Area document dated 2005 as a *'fine and picturesque group.'*
- 1.3 The extension would appear as a large scale and bulk and create a harmful juxtaposition against the small thatched cottage by means of siting, bulk, height detailing and materials. No details are shown as to how the connection between the historic building and the new extension would be carried out.
- 1.4 It is considered that the proposed extension would cause harm to the significance, character and setting of the listed building, as well as the group of listed buildings, in accordance with the National Planning Policy Framework, this harm would amount to the higher ends of "less than substantial " harm and should only be considered in exceptional circumstances. Therefore the proposed should be evaluated in accordance with Paragraph 196 in the NPPF;
- 1.5 *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing its optimum viable use"*

- 1.6 The optimum viable use of the listed building is used as it was intended when built, to be a home, which it is doing currently. In terms of public benefits, in this instance, none would be perceived and therefore no weight can be given to it.
- 1.7 It is noted that some extensions have been carried out in other buildings within the group listing, however, these were carried out in the 1970's and therefore limited weight is given to them.
- 1.8 The extension would, because of its siting, scale, bulk and incongruous relationship with the Grade II listed host dwelling, fail to represent the highest standards of design, fail to conserve or enhance the subject dwelling and would result in harm to the significance of the Grade II listed Building.
- 1.9 The proposed development would diminish the architectural integrity of the building and have a detrimental impact to the significance, character and setting of the listed building. It would fail to satisfy the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and as supported by the aims of Section 16 of the NPPF and policies DM13 and CS15 of the Central Bedfordshire Core Strategy and Development Management Policy Document dated 2009.

## **2. Conclusions**

- 2.1 It is considered that the proposed rear extension by reason of its size, scale form and design together with its relationship with the listed building would result in a harmful impact on the significance of the listed building. The development is therefore in conflict with planning policies DM13 and CS15 in the Core Strategy and Development Management Planning Document dated 2009 and section 16 of the NPPF.

### **Recommendation:**

**That Listed Building Consent be refused.**

### **RECOMMENDED CONDITIONS / REASONS**

- 1 The proposed extension by reason of its size, scale, form and design and relationship with the Grade II listed building would result in a harmful impact on the significance of the designated heritage asset. No public benefits are identified to outweigh the harmful impact and the proposals would fail to preserve the special historic and architectural significance of the listed building and its setting contrary to policies DM13 and CS15 of the Core Strategy and Development Management Planning Document dated 2009.

### **INFORMATIVE NOTES TO APPLICANT**

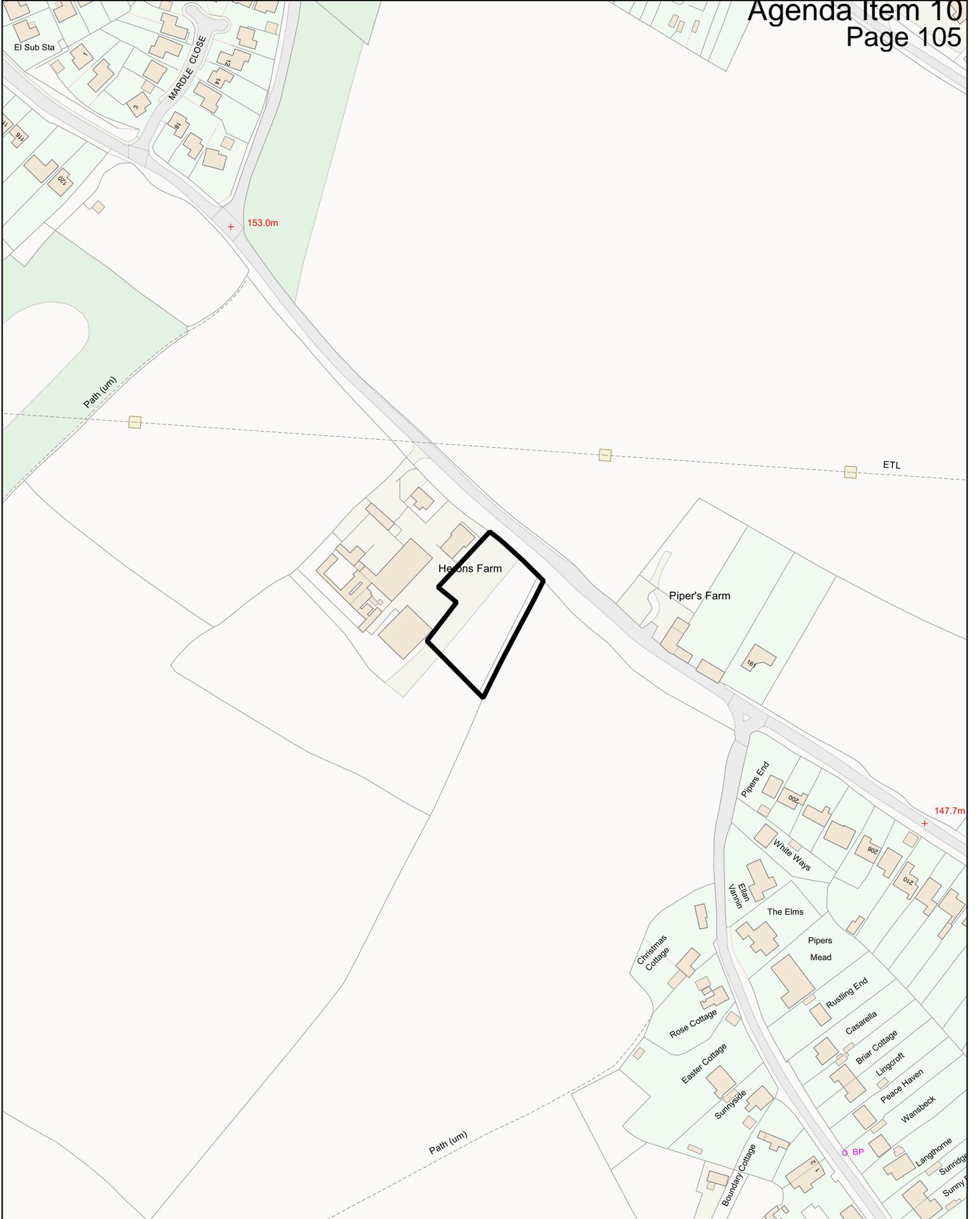
**Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35**

In the Council's view the proposal is unacceptable in principle. Dialogue took place prior to the submission of the application but fundamental objections were not overcome. The Council has therefore complied with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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Date Created  
19-11-2018

Application No.  
CB/17/05518/MW

Herons Farm, Mancroft Road  
Aley Green, Luton, LU1 4DR

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**Item No. 10**

<b>APPLICATION NUMBER</b>	<b>CB/17/05518/MW</b>
<b>LOCATION</b>	<b>Secondary Aggregate Recycling Plant, Herons Farm, Mancroft Road, Aley Green, Luton, LU1 4DR</b>
<b>PROPOSAL</b>	<b>Store materials at a height of 5 metres for a temporary period of two years as a variation to the height restriction attached to Lawful Development Certificate issued on 3rd December 2010 (retrospective).</b>
<b>PARISH</b>	<b>Caddington</b>
<b>WARD</b>	<b>Caddington</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Collins &amp; Stay</b>
<b>CASE OFFICER</b>	<b>Jerry Smith</b>
<b>DATE REGISTERED</b>	<b>02 August 2018</b>
<b>EXPIRY DATE</b>	<b>07 December 2018</b>
<b>APPLICANT</b>	<b>Mr Sayers</b>
<b>AGENT</b>	<b>MSC Planning Consultants Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Call in by Local Member</b>
<b>RECOMMENDED DECISION</b>	<b>Recommended for Approval</b>

**Site Location:**

Herons Farm lies within the South Bedfordshire Green Belt approximately mid-distance between Caddington to the north and Aley Green to the south-east on the south-western side of Mancroft Road from which vehicular access is formed. The complex operates as a working farm containing a mix of farm buildings developed along with two residential properties bordering Mancroft Road. The northern-most residential property is occupied by the applicant's family whilst the the applicant's parents occupy the more centrally located dwelling.

The south-eastern part of that front portion is an area of open land which benefits from a Certificate of Lawful Use or Development for the importation and storage building materials, soils and subsoils and the weekly crushing of building materials for recycling and use elsewhere. The area subject to the Certificate totals some 0.32ha and extends south-westwards on rising ground roughly to a point in line with the rear elevation of the adjacent farm building (*see Plan*). The rear half of the landholding comprises open land and forms the highest part of Herons Farm and at the time of the site inspection some five trailers were present. Planning permission has been granted for the construction of a calf rearing building on part of this rear half of the landholding. Whilst that planning permission has been implemented, construction is currently suspended.

The landholding is surrounded on three sides by agricultural fields separated by mature field boundary hedgerows. The fields to the north-west and south-west are owned by the applicant whilst the field to the south-east is in separate ownership. A

further field, also in the applicant's ownership, lies to the north-east beyond Mancroft Road, again separated by established hedgerow, and is in use for pasture. Residential development has been developed along Mancroft Road approximately 100m to the east of the recycling area whilst further dwellings lie to the south-east with views across the field towards the complex some 150m distant. Additional housing on Manor Road occupies higher ground to the north-east at a distance of typically 330m.

Public Footpath Caddington No 19 runs parallel to the site's south-eastern boundary in a south-westerly direction from Mancroft Road. A further public footpath, Caddington Number 20, extends in a north-easterly direction from Mancroft Road to Manor Road cutting through the pasture field. Both paths then link up with the wider public footpath network. Millfield Lane, which lies nearly 800m to the south-west, represents the nearest boundary of the Chilterns Area of Outstanding Natural Beauty (AONB) to the site subject to this application.

### **The Application:**

This application relates to that part of the landholding which benefits from the Certificate of Lawful Use or Development for the importation and recycling of building materials and soils. It seeks planning permission to increase the height of stored inert material from a maximum height of 3m, as specified in the Certificate, to a maximum height of 5m for a temporary period of two years. Information in support of the application explains that the reason behind this proposal arises from a need to upgrade the yard through the provision of a concrete pad and that the additional proposed storage height would enable the applicant to continue to store a similar volume of material on site whilst the pad is being constructed.

It is proposed that the concrete pad be installed in four phases advancing in a south-westerly direction away from Mancroft Road. Whilst the application seeks permission for the increased storage height to be permitted for two years, it states that if the concrete pad is completed within that two year period, the operations would revert to the 3m height restriction imposed by the Certificate in advance of that timescale.

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (July 2018)**

#### **National Planning Policy for Waste (NPPW) (October 2014)**

#### **National Planning Practice Guidance**

#### **Bedfordshire & Luton Minerals and Waste Local Plan (MWLP) 2005**

Saved Policy GE1: Matters to be addressed in planning applications

Saved Policy GE5: Protection of Green Belt land

Saved Policy GE7: Protection of Chilterns AONB

Saved Policy GE9: Landscape protection and Landscaping

Saved Policy GE10: Protection/enhancement of trees and woodland

Saved Policy GE17: Pollution control

Saved Policy GE18: Disturbance

Saved Policy GE20: Water resources

Saved Policy GE24: Ancillary minerals and waste developments

Policy MWSP1: Presumption in Favour of Sustainable Development

Policy WSP14: Inert Waste

### **South Bedfordshire Local Plan Review Policies**

Policy BE8: Design Considerations

### **Central Bedfordshire Local Plan - Emerging**

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018.

The National Planning Policy Framework (paragraph 48) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

- the stage of preparation of the emerging plan;
- the extent to which there are unresolved objections to relevant policies;
- the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application:

### **Supplementary Planning Guidance/Other Documents**

Central Bedfordshire Design Guide (March 2014)

### **Relevant Planning History:**

Application Number	SB 06 00755 LDCE
Description	Certificate of Lawfulness for the continued use of land for storage , parking and the sale of machinery
Decision	Granted Certificate of Lawful Use or Development
Decision Date	4 Sept 2005
Application Number	CB 10 00358 MWLE
Description	Application for a Lawful Development Certificate for an existing use, operation or activity for the importation, storage and crushing of building materials
Decision	Refused
Decision Date	2 July 2010
Application Number	CB 10 03422 MWLE
Description	Application for a Certificate of Lawful Development for the importation and storage of building materials, soils and subsoils to a maximum height of 3m and the weekly crushing of building materials for recycling and use elsewhere.
Decision	Granted Certificate of Lawful Use or Development
Decision Date	3 Dec 2010

**Consultees:**

Caddington Parish 10.9.18 Objection - Two years to construct a concrete pad  
Council seems excessive. If planning permission is to be granted,  
the Parish Council would prefer a temporary increase in  
height to 5m being restricted to one year.

Concern is raised regarding the current licence in that there is excessive, continuous noise as concrete is broken up. The Parish Council considers that operational hours should be limited to weekdays if possible between set hours and exclude noisy operations at weekends so that neighbours within a substantial radius do not continue to suffer loss of quality of life. The Parish Council would like to see noise in vicinity of the site monitored and action taken if noise levels are being breached.

Dust and air quality also needs monitoring. The Parish Council is concerned that excessive dust is created but is not watered down as at other plants allowing it to drift on the wind to neighbouring properties. Monitoring is also requested in respect of excessive mud being left on the carriageway from vehicles leaving the site.

Environment Agency 10.10.18 The Environment Agency (EA) comments that the operator may well be operating within the EA's waste permitted area but potentially not within the Certificate of Lawful Use. The EA advises that the operator can only operate within the permitted green boundary indicated on the waste permit and comments that it does not review or assess anything to do with a Certificate of Lawful Use.

CBC Landscape 28.8.18 Having walked the surrounds to the site, including local public rights of way, vehicles associated with Herons Farm are visible on the rising valley side to the southwest, however the existing recycling plant and associated stockpiles are not visually intrusive from PROW which are considered of higher sensitivity to visual change. There are limited glimpses of machinery associated with recycling processing from a short length of FP20 and these, visually, form part of the wider group of dwellings and agricultural buildings associated with Herons Farm. However the site visit was undertaken in summer months with hedgerows and trees in full foliage, and it is likely the application asite and farm buildings generally are more exposed visually in winter months.

There are potential landscape and visual concerns regarding the proposed height of stockpiles to 5m (max) over a temporary 2 year period and especially when there appears no detail submitted on the height and construction of concrete slabs. Such concerns are identified as:

- Potential temporary visual impact on views from short lengths of FP20 and FP19 especially in winter months due to leaf loss.
- Potential impact on hedgerow boundary with FP19 adjoining stockpile areas due to increase in height and spread of stockpiles possibly compromising hedgerow.

Consequently,

- More detail is required on the build specification for proposed concrete slabs including areas and heights;
- The boundary treatment with existing hedgerow to FP 19 also requires further consideration regarding future protection from recycling activities / stockpiles impinging on hedgerow;
- If the application is to be approved it would be beneficial of the construction of the concrete slabs could be carried out as swiftly as possible and in the summer months to limit the period of any visual disturbance.

#### Other Representations:

##### Neighbours

The application has been publicised by the posting of a site notice and the sending of neighbour notification letters to the nearest occupiers. No representations have been received.

##### Cllr Stay

09.08.18 Objection: Cllr Stay comments that the site has been a consistent issue for the immediate area for some years with non-compliance around layout, stored material height, noise emissions and weekend operations. Reference is also made to the site being the subject of a large number of communications received in the past few months.

The application is promoted as enabling compliance with the previous or current non-compliance with the 2010 layout attached to the lawful use certificate (retrospective). Objection is raised on the basis that if there is a temporary need to reduce the area used for materials recycling, then that should be achieved by reducing the quantum of material on site, not increasing the mass of material by increasing stack heights.

Cllr Stay notes a material inaccuracy within the application which states that the site is not visible from a public highway and comments that the whole site is clearly visible from Manor Road, Caddington. A photograph of the site is supplied taken from footway beside the highway at ground level, (*see displayed material*) to demonstrate that visual issues relating to the site are material to the application

and that an increase in stack height would have an increased impact on the Green Belt.

Cllr Stay requests the application is recommended for refusal on the basis that the site is inappropriate within the Green Belt, has a history of on-compliance, is the cause of considerable environmental impact locally and any increase in stack height would be detrimental to the Green Belt.

In summary, Cllr Stay highlights the following concerns:

- Contrary to policy on development in the Green Belt
- An overbearing visual impact on the Green Belt and adjacent AONB, is unacceptable and avoidable; and
- Would add to an already negative impact on the Green Belt and adjacent AONB.

### **Determining Issues:**

The main considerations of the application are;

1. Principle of the Development
2. Acceptability of the development in the Green Belt and affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Other Considerations
5. Conclusions

### **Considerations**

#### **1. Principle of the Development**

- 1.1 The site benefits from a Certificate of Lawful Use or Development issued on 3 December 2010 (Planning Ref. CB/10/03422MWLE) for use of an area roughly 0.32 ha in size towards the eastern corner of Herons Farm for the importation and storage of building materials, soils and subsoils and the weekly crushing of building materials for recycling and use elsewhere. The extent of the area subject to the Certificate is identified on the Plan appended to this report. The Certificate stipulates that material shall be stored to a maximum height of 3m.
- 1.2 The application seeks a variation to this height restriction to allow such materials to be stored to a maximum height of 5m for a temporary two year period. The application is put forward in order to enable the operator to maintain throughput capacity within a smaller footprint of the site whilst a concrete pad is constructed to serve the material storage area. Within the area covered by the Certificate, material is generally stored within the section adjacent to the south-eastern boundary as edged in brown on the Ordnance Survey Plan (Scale 1:1250) submitted with the application. This allows the adjacent area to be used for tipping, manoeuvring of plant and crushing operations, and as well as facilitating access to the rear part of the wider landholding. Policy WSP14 of the MWLP:SSP states that proposals for the recycling of inert waste will be permitted at various locations including within the area of and for the duration of an existing planning permission for a waste related use.

- 1.3 The operation has the benefit of an environmental permit issued by the Environment Agency which states, at paragraph 2.3.1, that the waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system. The application explains that it is intended to comply with this requirement by concreting the base of the material storage area with connection to a surface water sump to enable rainwater to be collected before being discharged to ground. MWLP Saved Policies GE17 and 20 do not support proposals which would pollute groundwater or impact upon surface water drainage. Whilst the north-eastern part of the existing storage area already benefits from having a concrete base, the remainder (edged in red on the Ordnance Survey Plan (Scale 1:1250) accompanying the application) has no concrete base with imported material simply stored on the ground. The applicant therefore proposes to construct a concrete pad over the remainder of the materials storage area which would be undertaken in four phases as identified on the plan. The comment in the Environment Agency's response has been clarified and it would appear that the area of the Permit exceeds the area subject to the Certificate, however the area to be concreted and to accept increased storage heights lies wholly within both authorisations.
- 1.4 The application seeks permission for the increased storage height to be allowed for a period of two years albeit makes clear that the storage height would revert to a maximum of 3m should the pad construction works be completed ahead of that timescale. The applicant has confirmed that the pad would be installed over two years in order to maintain a continuity of service to its customer base.
- 1.5 In considering applications, the NPPW advises that waste planning authorities should consider the likely impact on the local environment and on amenity against criteria set out in Appendix B of that guidance. Such impacts, where relevant, are considered in the report below.
- 1.6 The provision of the concrete pad would allow surface water to be controlled whereas at present it seeps directly into the ground. This environmental benefit needs to be balanced against the key impact that the increased height of the stored materials would have on this part of the Green Belt for the temporary period sought as considered below.
- 1.7 Whilst the proposals would allow the applicant to broadly maintain current throughputs and therefore the site's contribution to inert recycling capacity, the reality is that if permission were not forthcoming, potential recyclable material would be taken to alternative facilities for the duration of the pad construction. The NPPF, however, advises that planning decisions should help create the conditions in which businesses can invest, expand and adapt. The applicant has indicated that customers tend to contact the business only when there is a current demand for inert waste to be removed from a site and, if such demand cannot be met, those customers go elsewhere and do not necessarily return. The NPPF identifies that significant weight should be attributed to the need to support economic growth and productivity taking into account local business needs.
- 1.8 MWLP Saved Policy GE24 refers to ancillary development which the supporting text comments may be for the storage of waste. It goes on to comment that permission will normally be granted for such operations where the applicant can demonstrate the benefit of the development. In this case the applicant has identified a benefit of the development being the greater control over surface

water, in line with the Environment Agency's requirements, and it is relevant to note that the increased height of stored material would be for a temporary period.

**2. Acceptability of the development in the Green Belt and affect on the Character and Appearance of the Area**

- 2.1 The development subject to this application, namely the storage of building materials and soils to an increased height, would be considered as inappropriate development in the Green Belt. The NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. MWLP Saved Policy GE5 remains in broad accordance with this national policy. The inert waste recycling facility operating from Herons Farm is already authorised by virtue of the Certificate granted in 2010. The current application is promoted in order to permit an increase in the maximum height materials can be stored from 3m to 5m whilst a concrete pad is constructed in phases. This would allow the facility to fully meet the Environment Agency's requirements to protect groundwater resources through the provision of a chambered drainage collection system whilst ensuring that this agricultural diversification business is not adversely affected. The Agency would be responsible for associated drainage issues arising from the provision of the pad which lies outside the scope of this application. The NPPF advises that significant weight should be placed on the need to support economic growth and productivity taking into account local business needs. Taken together, such benefits could be considered sufficient to amount to very special circumstances provided such benefits are not outweighed by harm to the Green Belt by reason of inappropriateness or any other harm.
- 2.2 Whilst the application site lies on rising ground, it nevertheless sits towards the bottom of the local valley landform which rises fairly steeply from Mancroft Road across enclosed arable fields to the south-west and the more open ridge line and pasture land to the north-east. The storage area which would benefit from any increase in height would be confined to the extent of the existing storage area within the area covered by the Certificate and the wider landholding and its location towards the bottom of the valley landform would limit the impact of the development on the openness of this part of the Green Belt.
- 2.3 MWLP Saved Policy GE9 requires development proposals to be sympathetic to local landscape character. This consideration gains greater relevance given the proximity of the application site to Public Footpath No. 19 and views from other footpaths within the network. The existing recycling plant site is located immediately to the north of Public Footpath No. 19 with an intervening mature field boundary hedgerow which includes occasional trees. The proposals would not themselves lead to a disruption of the public rights of way network.
- 2.4 The consultation response from the Landscape Officer confirms that whilst the buildings and vehicles associated with the wider Herons Farm are visible on the rising landform to the southwest, the existing recycling plant and associated stockpiles are not visually intrusive from Public Footpath No. 19 which are considered of higher sensitivity to visual change. It is further noted that the residential properties lying beyond the agricultural field to the southeast display very few windows in their elevations which face towards the application site. Limited glimpses of plant associated with the recycling operations are available from a short stretch of Public Footpath No. 20 and indeed from limited longer distance views from Manor Road although these visually are experienced as part

of the wider group of agricultural buildings, dwellings and storage uses associated with Herons Farm. The Landscape Officer does, however, make the point that such observations were made during the summer months with hedgerows and trees in full foliage and the likelihood is that the application site would be visually more exposed during the winter months.

- 2.5 The Landscape Officer highlights a potential issue concerning the potential for any increased height and spread of the stockpiles to compromise the adjacent hedgerow. On this matter the applicant has pointed out that he has planted a double row of hedging plants within his site on an earth bund and consequently the intended pad construction would be built up to this planting which effectively ensures the protection of the established hedgerow adjacent to Public Footpath No. 19. That hedgerow is established to a height sufficient to provide substantial screening of the increased storage height of inert material, particularly if that activity were to be restricted to the summer months to benefit from the vegetation being in full leaf.
- 2.6 The objection raised by the Local Member, amongst other issues, cites concern regarding a negative and overbearing visual impact to the adjacent AONB. MWLP Saved Policy GE7 states that permission will only be granted for waste development in the AONB where it is demonstrated to be in the public interest or where it is minor waste related development that would enhance the vitality of the rural economy and have no detrimental effect on the special character of the AONB. In this case, the application does not relate to development 'in' the AONB.
- 2.7 However, the policy goes on to say that it also applies to proposals for waste development in areas close to the AONB where such development would result in a detrimental impact on its special character. Given the site lies towards the base of the local valley nearly 800m distant from the AONB at its closest point, views of the application site, in particular the proposed increase in stored materials, would not be available from the AONB due to a combination of topography and intervening vegetation. Consequently it is concluded that the proposal would have no detrimental impact on the special character of the AONB and therefore does not conflict with Saved Policy GE7.
- 2.8 It is concluded that the benefit of the development amounts to the very special circumstances necessary to overcome its inappropriateness within the Green Belt in terms of its temporary impact on openness and visual impact and that the impact of the proposals on the local landscape character would be easier to mitigate in the summer months rather than during the winter. The section below considers whether any other harm would outweigh this consideration.

### **3. Neighbouring Amenity**

- 3.1 Saved Policy GE18 of the MWLP states that permission for waste development proposals which are likely to generate disturbance will only be granted where the impact is reduced as far as practicable and is outweighed by other planning benefits of the proposal. Policy BE8 of the South Bedfordshire Local Plan Review states that development likely to generate noise, disturbance and other pollution emissions does not unacceptably disturb or otherwise affect adjoining properties and uses.

- 3.2 The application is put forward to enable the applicant to maintain the site's existing recycling capacity whilst the concreting of the recycling area is carried out. The proposals would not therefore give rise to any increase in traffic with the exception of those vehicles directly involved with the supply of concrete for the pad and, given the concreting would be undertaken in phases, those vehicle numbers would be low in volume.
- 3.3 The objection received from a Local Member refers to the site having been a consistent issue for the immediate area for some years with specific reference made to non-compliance around site layout, the height of stored material, noise emissions and weekend operations. Reference is also made to a large number of communications received in respect of the site over recent months. However, the matter to be determined is the acceptability or otherwise of temporarily increasing the height of stored material pending the construction of a concrete pad. Any issues concerning compliance are matters to be investigated by Officers with the scope to pursue enforcement action where it is considered expedient to do so.
- 3.4 The objection letter states that the application is promoted to enable compliance with the previous or current non-compliance with the Certificate. Whilst Officers have in recent times raised concerns regarding the storage of material on site which had extended south-westwards beyond the area permitted by the Certificate, this was subsequently resolved without the need for formal action and a recent inspection of the site has confirmed it is operating in compliance with the Certificate.
- 3.5 The objection argues that if there is a need to temporarily reduce the area used for materials recycling, this should be achieved by reducing the volume of material on site, not increasing the mass of material by increasing the storage height. In response, the applicant has indicated that this is not practical or viable for the reasons outlined above and emphasises that the increased storage height would only be for a limited period.
- 3.6 The Parish Council raises concern that the operation generates excessive, continuous noise as concrete is broken up and wishes to see noise levels in the vicinity of the site monitored and action taken if such levels are being breached. However, as the site benefits from a Certificate, the level of planning control over site operations is minimal. Nevertheless, the concerns raised have been referred to Public Protection Officers to investigate whether noise impacts are causing a statutory nuisance. The Parish Council considers that operational hours should be limited to weekdays, if possible between set hours, and exclude noisy operations at weekends so that neighbours within a substantial radius do not continue to suffer loss of quality of life. The Certificate imposes no restriction on operational hours and whilst noise issues lie outside the scope of the current application, the Parish Council's concerns on this issue have been raised with the applicant. In response, the applicant advises that in recent months more modern plant (a screener and crusher) has been employed which is considerably quieter than the original plant on account of utilising more modern and better insulated engines. The applicant also comments that the recycling plant is only engaged as and when sufficient stockpiles are accumulated and, on occasions, noise concerns have been raised directly with him when the plant has apparently not been operating and only farm machinery has been in use. It is noted that the site benefits from no site lighting and therefore operations at certain times of the year are limited by available daylight. The site's Permit imposes controls in respect of

noise impacts and vibration impacts which offers a further avenue to explore should such impacts be causing disturbance.

- 3.7 The Parish Council raises similar issues in respect of dust impacts and mud being trafficked onto the carriageway from vehicles leaving the site. MWLP Saved Policy GE18 deals with disturbance from dust and mud on the highway amongst other matters. As with noise, the Certificate does not subject the site to any dust control measures. However, the Permit does require the operator to maintain and implement an emissions management plan in order to prevent or minimise emissions and it is suggested that any on-going concerns regarding air quality be raised with the Agency which has the ability to require a revised emissions management plan should activities be deemed as giving rise to pollution. Provision of a concrete pad should enable the site to be kept cleaner by more fully utilising a road sweeper within the yard.
- 3.8 At the time of inspecting the site the public carriageway was in an acceptable state of cleanliness and it is noted that the entrance and yard area already benefit from being hard surfaced. It is acknowledged that the same entrance serves activities associated with the wider farm operations including access to the unsurfaced rear part of the landholding. As far as the current application is concerned, the increased temporary storage height is directly linked to the proposed completion of installing a concrete base to the existing recycling area. Consequently the proposals should assist in reducing the potential for mud to be trafficked off the farm from this particular activity in accordance with Policy GE18, although should mud on the highway become problematic, recourse remains available to the Council under Highways legislation.

#### **4. Other Considerations**

##### **4.1 Human Rights and Equality Act issues:**

Based on the 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.

#### **5. Conclusions**

- 5.1 The proposal would allow for existing stockpiles of inert materials to be stored at an increased maximum height of 5m for a temporary period pending the construction of a concrete pad to the existing recycling area in four phases. The applicant has indicated that the phasing would be driven by market conditions with a quieter spell potentially enabling more than one phase to be completed at one time. Provision of a pad would enable the operation to fully comply with the Permit and deliver significant benefit in enabling the authorised operation to safeguard groundwater resources. The significant benefit of the operation is assessed as constituting the required very special circumstances when set against the impact on the Green Belt for a temporary period.
- 5.2 The suggestion that the operation should instead reduce the volume of material held on the site pending the pad construction would restrict the ability of the operation to meet demand and pose some level of adverse impact to the business given its nature needs to respond promptly to demand, particularly given that the ideal periods for laying concrete would coincide with those times of year when building materials and soil material are likely to be more readily available for

recycling. The NPPF encourages planning decisions to support a prosperous economy, not least for the diversification of agricultural businesses such as this.

- 5.3 The temporary period sought is two years, a timescale which the Parish Council refers to as seeming excessive and, if permission is to be granted, the Parish Council would prefer this being limited to one year. Given the relatively small extent of the area subject to the proposed pad, a two year timescale does indeed appear excessive, particularly since laying concrete is an operation which needs to be undertaken at a time of year when low temperatures can be avoided. As noted above, there is a business need to maintain continuity of service in order to safeguard business viability and also retain customers and to that extent accepting a phased provision for the construction of the pad whilst allowing an increased storage height appears justifiable, particularly given that the increased stockpiles would not be overly prominent in the landscape such as to cause unacceptable harm to the openness of the Green Belt or character and appearance of the area for a temporary period due to a combination of topography and screening vegetation.
- 5.4 However, it is recommended that any increase in the maximum storage height be limited to the six month summer periods of two consecutive years with stockpiles being required to revert to the currently authorised 3m maximum height over the winter periods. Such an arrangement would thereby restrict the increased height to maximum of one year, as preferred by the Parish Council, whilst allowing for some flexibility to the applicant's operation. This would also have the benefit of allowing for an increased storage height at those times of the year when demand and throughput would typically be higher and coinciding with those times of the year when screening offered by hedgerows and trees would be in full leaf thereby minimising impact. This approach would also accord with the Landscape Officer's advice utilising the summer months to limit the period of any visual disturbance.
- 5.5 It is considered reasonable to allow the increased storage height over the next two summer periods rather than provide for the standard three years for commencement in order to deliver the environmental benefit at an earlier point in time.

## **RECOMMENDED CONDITIONS / REASONS**

- 1 The development hereby permitted relates to the temporary increase in the storage height of inert building materials, soils and subsoils on the area edged brown on the Ordnance Survey Plan (Scale 1:1250) submitted with the application to a maximum height of 5m above adjacent ground level.

*Reason: For the avoidance of doubt.*

- 2 The increased 5m maximum height of stockpiles of building materials, soils and subsoils shall only be permitted between the months of April to September (inclusive) in the calendar years of 2019 and 2020 and outside those times the stockpile shall not exceed a maximum height of 3m compared to adjacent ground levels. In the event that works to install the concrete pad are completed prior to the expiry of permitted periods for the increased maximum storage height, the stockpiles heights shall, within one

month of that completion, be returned to a maximum of height of 3m compared to adjacent ground levels .

*Reason: To restrict the duration of the increased stockpile in line with the application and to minimise its impact on the Green Belt in line with Saved Policy GE5 of the Minerals and Waste Local Plan.*

**INFORMATIVE NOTES TO APPLICANT**

**DECISION**

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## LATE SHEET

### DEVELOPMENT MANAGEMENT COMMITTEE – 5<sup>th</sup> December 2018

#### ***Item 05 – CB/18/00181/Full – Land rear of 133 & 135 Station Road, Lower Stondon, SG16 6JJ***

##### **Additional Consultation/Publicity Responses**

1. CBC Conservation Officer – No Objection
2. CBC Pollution following receipt of revised investigation report, no objection subject to amended condition reflected below.
3. Photos shared from local resident, which are available to view on the public website using the planning application reference number. These are located in the photos folder and labelled as “redacted photos.”

##### **Update to the report:**

S106 Sustainability Mitigation Obligations:

Leisure/Open space: A contribution of £50,000 towards the upgrade or provision of new sports provision.

The applicant is committed to delivery within a 5 year period and this will be included in the legal agreement.

##### **Deletion of Conditions**

Remove **Cond 20** in relation to slab levels having received drawing no. SM555-EN-015A (Finished Floor Levels). This plan has been added to cond 26 in relation to approved drawing numbers.

##### **Amended Conditions**

##### **Cond 11: Amended to reflect updated report:**

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 investigation report as recommended by the previously submitted December 2017 Travis Baker Geo Environmental Ltd Desk Study and Site Investigation Report, along with a Remediation Method Statement should the Phase 2 discover the need for remediation.

Reason: This condition is pre-commencement as it relates to ground works and remediation to ensure that the site is suitable for its end use and to protect human health and the water environment.  
(Section 8, NPPF)

**Cond 21:** updated to reflect information provided:

The scheme for the provision of electric car charging points as shown on drawing no. SL-001Y (Site Layout) and accompanied memo dated 20.11.18 shall be fully implemented in accordance with the approved scheme, prior to occupation of the dwellings to which they relate and thereafter retained for this purpose.

Reason: To ensure the development protects and exploits opportunities for the use of sustainable transport modes for the movement of people. (Section 4, NPPF)

**Cond 22:** Updated in accordance with plans received:

Plot Numbers 1, 15, 36, 43, 67, 69, 85, 90, 92, 145 shall meet the definition of Category 2 homes, in accordance with the National Described Space Standards as shown on drawing no. SL-001Y (Site Layout).

Reason: To ensure that an appropriate level of housing to meet the needs of future generations by being adaptable and accessible, have been provided in accordance with Nationally Described Space Standards and having regard to the benefits proposed of the scheme. (Section 5 of the NPPF)

**Cond 26** updated to reflect revised drawings:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers EL-001 (Location Plan), SL-001Y (Site Layout), SL -002Y (Colour Layout), SL-003J (Boundary Plan), SL-004E (Garden Plans), SL-005F (Parking), SL-006G (Materials) SL-007 (Bus Stop Plan), LS-001C, 002C, 003C, 004C, 005C, 006C, 007C, 008C, (Landscape Scheme), LS-009A (Planting Details), EN-006E (Refuse Tracking), EN-013A (Emergency Vehicle Tracking), SM555-EN-015 Rev A (Finished Floor Levels), Noise Report 17/0270/R2 & Supplementary Noise Assessment, Flood Risk Assessment Rev C, Design & Access Statement July 2018, Lighting Impact Assessment, Desk Study & Site Investigation Report 16134-RPT-GE02, Arboricultural Method Statement July 2018, Landscape Strategy Rev C, Transport Assessment Rev C, Historic Environment Desk Based Assessment June 2018, Landscape & Visual Impact Assessment Jan 2018, Ecological Appraisal Dec 2017, Statement of Community Involvement Jan 2018, Air Quality Assessment Aug 2017, Planning Statement Jan 2018, Residential Travel Plan Rev D, 1BF04(4)PL 52-55, 72-75 Elevations, 1BF04(4)PL 52-55, 72-75 Floor Plan, 2B.CB PL- 112-113 Floor Plans & Elevations, 2B.CB PL 58-61, 78-81 Elevations, 2B.CB PL 58-61, 78-81 Floor Plan, 2B.CB PL 99-101 Elevations, 2B.CB PL 99-101 Floor Plans, 2B.CB+4B.CB PL 9-10 Elevations, 2B.CB+4B.CB PL 9-10 Floor Plans, 2B.CB PL 48-51 Elevations, 2B.CB PL 48-51 Floor Plan, 2B.CB PL 114-116 Elevations, 2B.CB PL 114-116 Floor Plan, 2B.CB PL 102-105 Elevations, 2B.CB PL 102-105 Floor Plan, 2B.CB PL 56-57 Floor plans & Elevations, 3B.CB (OPP) PL 11-12 Floor Plans & Elevations, 3B.CB PL 82-83 (Chimney) Floor Plans & Elevations, 3B.CB PL 7-8, 108-109, 110-111 Floor Plans & Elevations, 3B.CB PL 97-98 Floor Plans & Elevations, 3B.CB PL 76-77 Floor Plans & Elevations, 3B.CB PL 106-107 Floor Plans & Elevations, 2BB.C PL REV A 45-47 Elevations, 2BB.C PL REV A 45-47 Floor plan, 2BB.C PL REV A 62-64 Elevations, 2BB.C PL REV A 62-64 Floor Plan, 378.PL 3-4, 146-147 Floor Plans & Elevations (Chimney), 378.PL 13-14, 27-28, 29-30, 33-34, 95-96 Floor Plans & Elevations, 378.PL 117-118, 141-142 Floor Plans & Elevation (Render & Chimney), 382(OPP).PL 2, 40, 89, 119, 139 Floor Plans & Elevations, 382.PL 71, 121, 148 Floor

Plans & Elevations, 383.PL 16-17,38-39,41-42,128-129,131-132 Floor Plans, 383.PL 38-39,41-42,131-132 Elevations, 383.PL 16-17 Elevations (chimney), 383.PL 128-129 Elevations (Render &chimney), 472(OPP).PL 6,21,26,88,91,122 Floor Plans, 472(OPP).PL 6,21 Elevations (render & chimney), 472(OPP).PL 26,88,91,122 Elevations (chimney), 472.PL 31,37,66,70,86,93,130,138,144 Floor Plans, 472.PL 31,66,70,86,130 (render) Elevations, 472.PL 37,93,138,144 Elevations (chimney), 475(OPP).PL 92 Floor Plans & Elevations, 475.Wotton PL 90 Floor plans & Elevations (Chimney&render), 477(OPP).PL 22,23,35,68,140 Floor plans & elevations, 477.PL 32,120,143,149 Floor plans & Elevations, 477.PL 44 Floor Plans & Elevations (render), 479(OPP).PL 1,67,69 Floor plans, 479(OPP).PL 67,69 Elevations, 479(OPP).PL1 (Chimney) Elevations, 479.PL 15,36,43,85,145 Floor plans, 479.PL 36,43 (Chimney) Elevations, 479.PL 15,85,145 Elevations, 481(OPP).PL 18,19,20,24,25,84,123 Floor Plans, 481(OPP).PL 18,19,20,123 Elevations, 481(OPP).PL 24,25,84 (Chimney) Elevations, 481.PL 137 Elevations, 481.PL 137 Floor Plan, 483(OPP).PL 65 Elevations, 483(OPP).PL 65, 87 Floor plans 483(OPP).PL 87 Elevations, 483.PL 5, 94 (CHIMNEY) Elevations, 483.PL 5, 94 (CHIMNEY) Floor Plans, and GOWER plots 124-125, 126-127, 133-134, 135-136 Floor Plans & Elevations.

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

**Additional Conditions:**

27. No building shall be occupied until the junction of the proposed vehicular access points with the highway has been constructed in accordance with the approved details.

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

28. Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 33m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety. (Section 4, NPPF)

29. Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 33m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety. (Section 4, NPPF)

30. No dwelling shall be occupied until (a) revised refuse collection points, (b) increase of initial 8m of private drives to 4.8m and (c) traffic calming on the section of road serving plots 112 to 137 has been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority.

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

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

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

**Informative:**

1/The applicant is advised that in order to comply with Condition 1 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. You are advised to contact the Highways Agreements Officer, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. E-mail [highwaysagreements@centralbedfordshire.gov.uk](mailto:highwaysagreements@centralbedfordshire.gov.uk)

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

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 Highways HelpDesk tel: 0300 300 8049

3/ The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways within the site as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Agreements Officer, Highways Contract Team, Community Services, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ .

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

5/ 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

***Item 06 – CB/18/02373/OUT – Loft Farm and West of Church Street, Langford, SG18 9QA***

**Additional/Amended Conditions/Reasons**

Condition 1 shall be amended to read:

*“Applications for the approval of the reserved matters shall be made to the Local Planning Authority within two years from the date of this permission. The development shall begin not later than one year 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.”*

Two additional conditions shall be included, as set out below. Condition 16 will be re-numbered as condition 18.

- 16 *No development shall take place, including any works of demolition, until a Construction Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:*
- (A) The parking of vehicles*
  - (B) Loading and unloading of plant and materials used in the development*
  - (C) Storage of plant and materials used in the development*
  - (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.*
  - (E) Footpath/footway/cycleway or road closures needed during the development period*
  - (F) Traffic management needed during the development period.*

*(G) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.*

*(H) details of the responsible person who can be contacted in the event of a complaint;*

- *mitigation measures in respect of noise and disturbance during construction including piling techniques, vibration and noise limits, prior notification to the occupiers of potentially affected properties, monitoring technology, screening, a detailed specification of plant and equipment to be used, and construction traffic routes; and*
- *a scheme to minimise and monitor the emission of dust and dirt during construction and to prevent the burning of materials on site.*
- *Measures for controlling the use of site lighting whether required for safe working or for security purposes.*

*The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.*

*Reason: This condition is pre-commencement, in the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Policy DM3 of the Core Strategy for the North and Section 9 of the NPPF)."*

- 17 *No ground works shall take place unless and until a Minerals Recovery Plan (MRP) has been submitted to and approved in writing by the local Planning Authority. The MRP shall be followed at all times during construction.*

*Reason: To secure the best use of materials, in accordance with Policy MSP11 within the Minerals and Waste Local Plan 2014 and the NPPF. This condition is required prior to the commencement of the development, as any development may adversely affect any mineral recovery.*

## **Item 07 – CB/18/02484/Full – Land off Greenfield Road, Flitton, MK45 5DR**

### **Additional/Amended Conditions/Reasons**

Condition 2 (drainage) shall be amended to read:

The surface water drainage should be carried out in accordance with the Flood Risk Assessment and Drainage Strategy Rev A (September 2018)

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 8 (Ecology) shall be amended to read:

The ecological enhancement measures shall be implemented in accordance with the Ecological Mitigation & Enhancement plan by Arbtech updated 19/10/18

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

Additional condition to read:

Prior to occupation of the dwellings hereby approved, a scheme for the provision of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved scheme and thereafter retained for this purpose.

Reason: To enable charging of plug-in vehicles in safe, accessible and convenient locations (Section 9, NPPF)

Additional informative to read:

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.

**Update to the report**

Affordable housing

The table in the affordable housing section (6.6) shows the wrong mix, but total number of affordable is correct (the mix is correct on the second page of the report).

For clarification

The additional access that serves the three properties is an existing field access for agricultural access to the site.

***Item 08 – CB/18/02832/Full – 55 Woburn Street, Ampthill, MK45 2HX***

None.

***Item 9 – CB/18/02831/LB – 55 Woburn Street, Ampthill, MK45 2HX***

None.

***Item 10 – CB/17/05518/MW – Secondary Aggregate Recycling Plant, Herons Farm, Mancroft Road, Aley Green, LU1 4DR***

**Update to the report**

Attention is drawn to some text which has not pulled through to the Committee Report. The following text should be inserted on Page 118 of the Public Reports Pack, after paragraph 5.5:

**'Recommendation:**

That Planning Permission be APPROVED subject to the following conditions:'

**Additional/Amended Conditions/Reasons**

The concerns raised in representations regarding existing operational impacts, whilst lying outside the scope of this application, have been raised with CBC's Public Protection Officer and the Environment Agency. The Public Protection Officer advises that the following additional condition be imposed:

'Any crushing or screening plant shall be placed at ground level and not be sited on top of any stockpile of material'

*Reason: In order to minimise the noise emissions associated with plant operations in accordance with MWLP Saved Policy GE18 and to minimise the visual impact of the development hereby permitted in accordance with MWLP Saved Policy GE9.*

It is recommended that the above condition be added to those set out in the report.