

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **DEVELOPMENT MANAGEMENT COMMITTEE** held in Council Chamber, Priory House, Monks Walk, Shefford on Wednesday, 6 February 2019

PRESENT

Cllr K C Matthews (Chairman)
Cllr R D Berry (Vice-Chairman)

Cllrs M C Blair
K M Collins
F Firth
E Ghent

Cllrs C C Gomm
K Janes
T Nicols
J N Young

Apologies for Absence: Cllrs Mrs S Clark
I Dalgarno
T Swain

Substitutes: Cllrs D Bowater (In place of Mrs S Clark)
S Dixon (In place of I Dalgarno)

Members in Attendance: Cllrs A D Brown
P A Duckett
Mrs J G Lawrence
D J Lawrence
B Saunders
D Shelvey
B Wells

Officers in Attendance: Ms P Bramwell Planning and Highways Solicitor,
LGSS Law
Mrs N Darcy Principal Planning Officer
Mr J Ellis Planning Manager South
Mr S Lakin Strategic Transport Manager and
Highways Development
Management Team Leader
Mr D Lamb Strategic Delivery Manager
Mr L Manning Committee Services Officer
Mr M Plummer Planning Manager North
Mrs A Robinson Senior Planning Officer
Mr S Robinson Senior Planning Officer
Mrs J Selley Head of Planning Delivery
Ms S Sherwood Committee Services Officer
Mr N Smith Planning Project Manager

Others in Attendance: Mr T Cuthbert Ringway Jacobs Ltd

DM/18/123. **Chairman's Announcements**

The Chairman informed the meeting the order of business for the planning applications would be as follows:

Morning: Items 5, 7, 8, 9, 10.

Afternoon (not before 1.30 p.m.): Items 11, 12, 13, 14, 15.

DM/18/124. **Minutes**

RESOLVED

that the minutes of the meeting of the Development Management Committee held on 9 January 2019 be confirmed and signed by the Chairman as a correct record.

DM/18/125. **Members' Interests**

(a) **Personal Interests:-
Member**

	Item	Nature of Interest	Present or Absent during discussion
Cllr K Collins	5	Has met the applicant and members of her staff on several occasions but not in connection with this application.	Present
Cllr N Young	All	Knows some of the applicants through his role as Portfolio Holder/Executive Member both for strategic planning and regeneration particularly with regard to Item 5 and has been present at discussions with Highways England and the latter's future plans for the A1. He is also in Member advisory groups regarding	Present

the shaping of allocated sites in CBC so has a greater level of involvement than other Members unless they are ward Members. He believes he has kept an open mind and will listen to colleagues.

Cllr K Matthews	7	One of the speakers is a former CBC Member and was known to him (Cllr Matthews) and to other members of the Committee.	Present
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(b) **Personal and Prejudicial Interests:-**

Member	Item	Nature of Interest	Present or Absent during discussion
Cllr C Gomm	10	Is a resident of Westoning and knows a number of the parish councillors. He will make a representation on behalf of the absent ward Member and then withdraw. He will not make a representation setting out his own views.	Absent
Cllr K Collins	14	Has met the applicant on several occasions in connection with the application.	Absent

Will make a representation as a ward Member (and on behalf of the other ward Member) and then withdraw.

Cllr S Dixon	7	Will speak as a ward Member and then withdraw.	Absent
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(c) **Prior Local Council Consideration of Applications Member**

	Item	Parish/Town Council	Vote Cast
Cllr M Blair	11	Maulden	No. Has retained an open mind.

DM/18/126. **Planning Application No. CB/18/02251/OUT (Arlesey)**

The Chairman informed the meeting that Planning Application No. CB/18/02251/OUT, an outline application with all matters reserved except the means of access for up to 147 dwellings and public open space at The Lagoon, 197 Hitchin Road, Arlesey, SG15 6SE, had been withdrawn by the applicant.

DM/18/127. **Planning Application No. CB/18/02458/OUT (Biggleswade North)**

Prior to consideration of this application the Chairman reminded Members that it was necessary for any report to the Committee to be published five clear working days in advance of the meeting. This deadline had not been met with regard to the report for this Item (Planning Application No. CB/18/02458/OUT) and so it was necessary for him to decide whether the report should be considered by the Committee as a matter of urgency. The Chairman advised that information submitted to him indicated that the applicant's funding agreement would expire on 26 February 2019 and so the funding would be lost if the application was not determined by that date. Given this situation the Chairman deemed the report to be a matter of urgency and that it would be considered by the Committee.

The Committee had before it a report regarding Planning Application No. CB/18/02458/OUT which sought outline planning permission for the demolition of existing buildings and development of up to 1,500 dwellings (Use Class C3), up to 2ha of commercial development (Use Classes A1, A2, A3, A4, A5, B1 a,

b, c, B2 ,B8), up to 5ha of primary school development (Use Class D1) and up to 4ha of other leisure and community development (Use Classes D1 and D2), up to 60ha of open space including, play space, allotments and a country park, infrastructure including site access, internal roads, car parking, footpaths, cycleways, drainage and utilities on land to the east of Baden-Powell Way, Biggleswade, SG18 8SD.

In advance of consideration of the application the planning officer drew the Committee's attention to an error regarding informative no. 14 and informed the Committee that the Design Code was the subject of condition 4 to the report and not condition 5 as was stated.

In advance of consideration of the application the Committee received representations from Mr Sansom, an objector to the application, and Ms Sadek, representing the applicant, under the public participation scheme. Both parties responded to Members' requests for clarification.

A ward Member set out a number of major concerns regarding the application including the absence of a stopping bus service on Baden-Powell Way, the location of the site outside the development envelopment and its immediate proximity to the existing King's Reach development, the requirement by Network Rail for upgrade works at Lindsell's Crossing given the rail crossing's distance from the application site, the impact of the local water table on the construction works and the failure to consider the strain placed on an existing inadequate transport, utilities, health and education infrastructure. She concluded by stressing the need to ensure that the application that was approved was the right one for Biggleswade and, therefore, for Central Bedfordshire Council.

The planning officer responded to the points raised as follows:

- Points raised by the objector regarding emerging Local Plan Policy SA4 and the suggestion that the application was premature was dealt with within the officer report. A planning application made to the Council had to be determined.
- The process was democratic and extensive consultation had been carried out and the views addressed as far as was possible. It would be elected Members who would decide on the application.
- He continued to support the statement in the report that significant weight should be given to the contribution by the development towards affordable housing delivery.
- Whilst the Council had a five year land supply the National Planning Policy Framework (NPPF) did not suggest that the securing of additional supply from appropriate sites should cease.
- He drew Member's attention to paragraph 9.9 of his report and how arguments that an application was premature were unlikely to justify a refusal of planning permission other than in the limited circumstances set out in both sub-paragraphs a. and b. With regard to the content of the sub-paragraphs he did not believe the application would undermine the planning-making process or that the emerging Local Plan was at an advanced stage.

- Whilst not able to comment on the applicant's consultation process the Council had consulted widely and in line with its obligations.
- The site was outside the settlement envelope and conflicted with Policy DM4 but, on planning balance, the planning officer believed the benefits of the application outweighed the Policy conflict.
- The design code would need to address the relationship between the built development and the electricity pylons on the site and he was satisfied there was a design solution.
- The relevant officers were satisfied that there were existing or developing projects that, with the proper funding (through financial contributions from the developer), could mitigate the impact of the development. If they had not been then the officer recommendation to approve the application would likely to have been different.
- The distance between the existing roundabout on Baden-Powell Way and the nearest proposed block was approximately 100 metres which provided a reasonably sized buffer. An increase in this distance would have likely resulted in a range of compensatory action but he believed the proposed balance between a range of factors was the right one.
- Planning permission was sought for up to two hectares of employment land in total across the range of potential uses. He viewed the proposed range of employment opportunities as positive whilst being subservient to the residential character of the site. The amounts and location of each use and the types of building were matters for the design code.
- Conditions relating to drainage and archaeology would ensure these matters were addressed to the satisfaction of the relevant bodies prior to the start of development.
- The height of the buildings would be dealt with under the design code which would be drawn up as a collaborative effort with input from various parties including Members and specialists.
- The planning permission would be subject to a build rate timetable to ensure the delivery of at least 500 units in the first five year period.
- The NHS and education authority had been closely involved in the process and were satisfied that the proposed measures were appropriate. The s106 agreement would secure the provision of primary school places as early as was possible.
- The Council's sustainability policy requirements would be covered by the conditions imposed on the application.
- He acknowledged the distance between the application site and Lindsell's Crossing but Network Rail's position was that the upgrading work was essential in relation to further development work in Biggleswade.
- The need for improved parking provision at Biggleswade railway station and the town centre was recognised and a contribution of £250k would be made available for town centre enhancement works. It was anticipated that the spending programme to address local priorities would be developed in consultation with the Town Council and other parties.
- There was a comprehensive assessment of the submitted transport assessment and the results were that, subject to the mitigation set out in the report, the impact on the road network would be acceptable.

- He agreed that it was important the sustainable transport initiatives were enhanced. The permission would secure an early contribution of £225k to support existing sustainable transport measures in addition the application would need to deliver a sustainable transport scheme by the point it reached 250 occupations. The value of the scheme could be up to £2.25m and would be developed by officers and other interested parties.
- He fully accepted the need to ensure that the application was the right one and he stated he was comfortable and confident that a combination of the development brief, the design code, the design guide, the recommended conditions, the parameter plans and the s106 agreement would enable the Council to do so.
- He understood the preferred site for the NHS hub in Biggleswade was the existing hospital site. The site had not yet been secured but the aspiration for a hub in Biggleswade existed and he believed the proposed contribution could help to deliver the hub on an alternative site if the hospital site did not progress. If there was a change in approach the contribution could be used by the NHS and Clinical Commissioning Group (CCG) to provide capacity in another form.

The representative from Ringway Jacobs Ltd, the Council's highways contractor, responded to the points raised as follows:

- The company had gone to considerable lengths to ensure that it was fully satisfied with the transport assessment for the application and the data within it regarding traffic generation and how it routed to and from the development, that the local highway network could cope and that, where it would be stressed, mitigation measures were taken.
- Great effort had been made to ensure the junction for the development at Baden-Powell Way was of the appropriate type and size that could deal with the traffic levels.
- With regard to bus routeing, the company would ensure that the development was appropriately served by buses.
- There was an existing issue regarding the stopping of buses on Baden-Powell Way because of the impact on traffic. Laybys would be necessary to allow buses to stop safely.

The Committee considered the application and in summary discussed the following:

- Whilst the application dealt with 1500 homes it could not be regarded as premature and could not undermine an emerging Local Plan which dealt with well above 20k dwellings.
- Having a five year land supply was not a reason to halt development otherwise the supply would quickly fall below the required figure.
- Delegation was sought purely to agree that the conditions associated with Highways England's requirement for mitigation were satisfied. It was not to rehear the application in private.
- The consultation with ward Members would only deal with impacts at the A1/Hill Lane and A1/London Road junctions and at no other point.
- The conditions were comprehensive in nature.

- The Town Council was supportive of the application and the applicant's representation stated that they had worked with the Town Council and cleared any issues. The Town Council's support carried great weight on the matter of prematurity and so it was less of an issue.
- There was a decent separation for the majority of the site from existing development whilst being close enough to bring the advantages of commerce and trade to Biggleswade.
- That the application had come forward before the Local Plan had been adopted though this reflected, to a degree, the complex task of getting such Plans processed.
- Concerns regarding the capacity of the road network, the electricity supply and flood risk and the possible impact of future road improvements.
- The use of a condition regarding a construction traffic management plan and how the plan would protect early occupiers of the development.

On being put to the vote 10 Members voted for approval, 0 voted against and 2 abstained.

RESOLVED

that Planning Application No. CB/18/02458/OUT relating to land to the east of Baden-Powell Way, Biggleswade, SG18 8SD be supported subject to withdrawal of the Highways England holding objection, the conditions as set out in the Schedule attached to these minutes and the satisfactory completion of a legal agreement securing the obligations described in the officer's report attached to these minutes and thereafter authorises the Assistant Director – Development Infrastructure in consultation with the Chairman, Vice-Chairman, Executive Member for Regeneration and Business and relevant Ward Members (the relevant ward Members to be determined by the Chairman, Vice-Chairman and Executive Member for Regeneration and Business) to grant outline planning permission providing that no new material changes to the planning application arise as a result of the measures proposed to mitigate the impacts of the development on the strategic highways network.

AT THE CONCLUSION OF ITEM 5 ABOVE COUNCILLORS D AND J LAWRENCE LEFT THE MEETING

THE COMMITTEE ADJOURNED AT 11.21 A.M. AND RECONVENED AT 11.32 A.M.

DM/18/128. **Planning Application No. CB/18/02373/OUT (Stotfold & Langford)**

The Committee had before it a report regarding Planning Application No. CB/18/02373/OUT, an outline application for up to 95 dwellings and associated public open space with all matters reserved except for access at Loft Farm and west of Church Street, Langford, Biggleswade, SG18 9QA. The meeting was aware that the application had been submitted to the Committee on 5 December 2018 but, following discussion, it had been resolved (minute

DM/18/105 refers) to defer further consideration for up to two cycles to enable Members to:

- receive evidence relating to the ability of construction vehicles to enter the application site by passing through Tithe Farm Close.
- assess the impact on the existing residents in Tithe Farm Close in the immediate vicinity of the proposed new access to the application site as a result of the increase in traffic resulting from the development.
- find an alternative access to the application site, subject to the developer's approval to do so.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses and additional comments as set out in the Late Sheet.

In advance of consideration of the application the Committee received representations from Councillor G Clarke of Langford Parish Council (which objected to the application), Ms T Barr, an objector to the application, and Mr A Davies and Mr D Hatcher, jointly representing the applicant. All parties responded to Members' requests for clarification. The meeting noted that the Parish Council had no objection to the development in principle and its concerns focused on issues such as the site access.

A ward Member indicated his support for the Parish Council's objections and referred to weaknesses within the proposed traffic management plan. He asked that, if the Committee was minded to approve the application, it took account of the Parish Council's points and to his own comments regarding the proposed hours of operation, the policing of construction vehicles to ensure they entered via the A507 and not Biggleswade and the location of storage silos on site to reduce vehicle movements. In conclusion he asked how it had been determined that construction vehicles could access Tithe Farm Close when other vehicles could be legally parked on the side of the road. That situation could result in construction vehicles mounting the pavement. He expressed the hope that the application would be refused until an alternative access had been found.

(Note: At this point in the proceedings Cllr Dixon, as another ward Member, moved from the Committee tables to sit at the public speaker's point in order to address Members).

The ward Member explained that he had met with officers to examine issues such as wheel washing, delivery hours, access routes, a possible holding off area on the A507 and an unloading area for the larger machinery. However, the problem of driving a 12 meter long vehicle along Tithe Farm Close remained and, whilst theoretically possible, the video he had taken on the previous Sunday at 1.00 p.m. and circulated to Members, made it apparent that any other vehicles parked in the vicinity would force the larger vehicle to mount the pavement. There were no parking restrictions. Using the Close as an access would therefore cause disruption and was unacceptable.

The ward Member felt that insufficient consideration had been given to multiple property purchases in order to provide the required sight lines. He also stressed that, if the application was approved, a Puffin crossing was required from the beginning in order to protect local residents and schoolchildren. The ward Member asked the Committee to consider the issue of buildability and construction process as well as design. He urged the Committee to reject the application and then left the Council Chamber, taking no further part in the debate on this item or the vote thereon.

The planning officer responded to the points raised as follows:

- The application was considered by the officers as acceptable and this position was reinforced by the additional information received.
- The tracking diagrams showed the proposed use of Tithe Farm Close by construction vehicles as acceptable.
- The vehicle used to demonstrate the feasibility of driving a 12 meter vehicle along the Close was a horse box which might not provide a like for like comparison as it would have a different wheelbase from a lorry.
- Alternative access points had been investigated but the removal of the properties concerned had proven unsuitable regarding width and vision splays. No suitable alternative access had been found. Further, an alternative access would require the submission of a new application.
- The presence of sub-contractors on site could be detailed as part of the construction management plan.
- The provision of CCTV at the entrance to the Close could be included as a criteria within the construction management plan.
- He confirmed that Henlow Parish Council had not been consulted on the application.
- The officers felt a Puffin crossing should be in place at the point when the dwellings started to be occupied not when construction works started.
- He was unable to comment on the statement by the applicant's agent that lorries would wait in designated areas on the A507 as he did not know who the builder would be and, therefore, from which direction the construction materials would approach the application site from.

The highways officer responded to the points raised as follows:

- No indication had been given by the Parish Council as to which part of the transport assessment was regarded as incorrect. He concurred that the existing speed limit through the village was 20 mph.
- An alternative access point would require several properties to be removed to meet the technical requirements but there was nothing available.
- The Close was a public highway and he was uncertain what action the police, as the responsible authority, would take to clear the Close if vehicles were legitimately parked there. However, he felt that developers took health and safety issues seriously and saw no reason why the Close would be unsuitable for construction traffic. The Chairman commented that the police would only take action if a parked vehicle caused obstruction or was parked dangerously. If the vehicle

was parked outside the owner's home then he did not believe action would be taken.

The Committee considered the application and in summary discussed the following:

- The Neighbourhood Plan carried no weight in planning terms at the current stage of its development though the Committee should have regard to local feeling and wishes regarding the validity of the application.
- There had been no consideration of the possible purchase of two homes in order to provide a wider access point and, possibly, suitable visibility splays.
- A construction plan was not a material consideration but was a matter of concern to the Parish Council and local residents.
- No one appeared to object to the site in principle but to the impact of the site and the construction traffic on Langford village and the access point in Tithe Farm Close, in particular on one resident.
- The application before Members was similar to that originally submitted to and deferred by the Committee.
- The NPPF referred to the requirement for a safe and suitable access to the site and, whilst there was no issue with cars or smaller delivery vehicles, there was a problem on the use of large articulated vehicles and the possible issues that could arise should cars be parked outside their owners' dwellings.
- The development phase could last approximately two years and would impact on existing residents on the estate for that period.
- There was no list of predictable objections but concerns which focused on the access.
- There were concerns as to whether the Close could be kept clear.
- The Committee had no alternative but to approve the application as it was or refuse it.
- The Committee would not take into account any possible appeal costs.

A Member then moved that the application be refused on the grounds of loss of amenity to the residents of Langford. He added that should the application be allowed at appeal a Puffin crossing was required before the development began so that lorries would be required to stop at a traffic light rather than possibly misjudge the need to stop when approaching an ordinary pedestrian crossing. Further, he did not believe that a request for CCTV was enforceable. Following discussion a planning officer advised the Committee that a motion to refuse the application should be worded with reference to the locality. He explained that it would be difficult to claim wider impact on Langford given it involved the use of a public highway which was not under the Council's control. The planning officer stated that if the application went to appeal there would be a need to demonstrate reasons and why a loss of amenity would take place but he believed the Council had an arguable case.

It was moved and seconded that the application be refused on the grounds of loss of amenity particularly adjacent to the site access.

On being put to the vote 10 Members voted for refusal, 0 voted against and 1 abstained.

RESOLVED

that Planning Application No. CB/18/02373/OUT relating to Loft Farm and west of Church Street, Langford, Biggleswade, SG18 9QA be refused as set out in the Schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 7 ABOVE COUNCILLOR S DIXON RE-ENTERED THE CHAMBER

DM/18/129. Planning Application No. CB/18/03694/OUT (Shefford)

The Committee had before it a report regarding Planning Application No. CB/18/03694/OUT, an outline application with all matters reserved (except for means of access from Ivel Road) for up to 90 residential dwellings, new internal access roads and footpaths, open space, sustainable urban drainage system and associated landscaping, infrastructure and earthworks on land at Ivel Road, Shefford.

In advance of consideration of the application the Committee's attention was drawn to a reprint of part of the officer's report due to an editing error in the original, additional information, additional consultation responses and updated highways conditions. The planning officer added that the Police Architectural Liaison Officer had raised no objections.

In advance of consideration of the application the Committee received a representation from Ms Dawn Adams as the applicant. The applicant responded to requests for clarification from Members.

A ward Member raised a number of comments regarding the application during which he incorporated the views of his fellow ward Member who had been unable to attend the meeting. The ward Member then referred to the high level of housing development in Shefford over the last five years and that the application site was in the emerging Local Plan for 72 houses but 90 were proposed. He referred to the parcel of additional land that would be transferred to the Council for education use and additional public greenspace and how it would benefit local residents. He stated that both he and his fellow ward Member would prefer the new school to be located on the previously discussed Hitchin Road site and the parcel of additional land used solely as a community woodland.

The ward Member referred to the relevance of the new National Planning Policy Framework (NPPF), its relationship to the emerging Local Plan and how this influenced the decision the Committee could reach. He then set out a range of concerns regarding issues of accessibility. The ward Member concluded by stating that whilst he and his fellow ward Member supported the

application they sought confirmation that a number of points, which he set out in full, be taken forward for consideration at the reserved matters stage.

The planning officer responded to the points raised as follows:

- The Late Sheet set out the NHS contributions requested towards mitigating the impact of the development on local NHS services. However, it was the NHS which would decide where the money was eventually spent.
- With regard to vehicle access, a road safety audit had taken place and the highways officer had deemed it acceptable subject to the proposed mitigation measures. The planning officer stressed that these were existing problems in Ivel Road which could not be remedied by seeking contributions from the applicant.
- Full contributions towards education provision were being provided in line with the officer request.
- Saxon Pool had an identified project for improvements and was the closest facility and so met the methodology for seeking improvements.
- The primary school to be situated in the additional parcel of land did not form part of the current application so there was no detailed highways assessment and any related travel plan would need to be assessed at the reserved matters stage if the school needed to come forward.
- 90 dwellings could fit well on the application site, there being only 29 dwellings per hectare including play space and SUDS.
- Indiscriminate parking at the Tesco garage could be mitigated by highway improvements with bollards if necessary and a contribution was sought for this purpose.
- With regard to the suggestion that the number of parking spaces be included she stated that she understood that the aim was to retain as much woodland as possible rather than create a large parking area.
- With regard to the s106 monies work was ongoing to create a guidance note but, given the current circumstances, further discussion was required.
- Further highways work, beyond that requested, was not considered necessary for the application to be considered acceptable.
- The vehicular access was considered to be acceptable and a road safety traffic audit had been carried out.
- A pedestrian link would be provided to the application site boundary to allow for access to any future development.
- The ward Members had suggested access to the Hitchin Road site across a strip of land. However, this did not belong to the Council or the applicant and it was not deemed to be necessary in order for the application to proceed.
- The maximum height of the dwellings and possible provision of bungalows would be considered at the reserved matters stage.
- With regard to landscaping in the vicinity of the care home, a landscaping condition was proposed given that all matters were reserved except access.

The highways officer responded to the points raised as follows:

- It was felt that Churchill Way was quite wide and long and a 20 mph limit would require extensive traffic calming measures and police support.

The ward Member raised various points regarding Churchill Way and emphasised that it was not a major delivery route but a wider than normal estate road. In response the Chairman stated that it was an outline application with all matters reserved but for access and it would be necessary to wait to see what was eventually submitted. The ward Member concluded by stating that he and his fellow ward Member believed the site to be unsustainable unless an access was provided through into the north.

The Committee considered the application and in summary discussed the following:

- The police had no objection regarding permeability and the proposed access links on the development.
- Shefford was the first town in Central Bedfordshire that was completely 20 mph in its residential areas and that should continue. The need to examine the cumulative impact of development on Churchill Way and respond accordingly to reduce excess vehicle speed was suggested.
- Support for the use of bollards to supplement double yellow lines to prevent lorries from parking on the Tesco side of Ivel Road.
- Whether a right turn out of the site should be permitted, as it would be difficult and unsafe, or whether a left turn only should be allowed. The highways officer was of the professional opinion that the junction, given an examination of the related factors and the imposition of a speed table, was acceptable as proposed.
- Concern regarding the NHS/Bedfordshire Clinical Commissioning Group's position as to the use of a s106 contribution towards the reconfiguration and extension of the Shefford Medical Centre to meet the increased demand arising from the application (if approved) and other developments. It was noted that the use of the contribution could not be conditioned and the desire to see its use locally would have to take the form of a strong request to the BCCG.

On being put to the vote 11 Members voted for approval, 0 voted against and 1 abstained.

RESOLVED

that Planning Application CB/18/03694/OUT relating to land at Ivel Road, Shefford be approved as set out in the Schedule attached to these minutes.

THE COMMITTEE ADJOURNED AT 1.12 P.M. AND RECONVENED AT 1.46 P.M.

DM/18/130. Planning Application No. CB/18/01651/RM (Toddington)

The Committee had before it a report regarding Planning Application No. CB/18/01651/RM for a reserved matters application following outline approval ref: CB/14/02348/OUT for redevelopment of up to 45 residential units with associated amenity space, landscaping and parking provision. Demolition of existing bungalow at Harlington Station Yard, Station Road, Harlington.

- In advance of consideration of the application the Committee noted the statutory consultation letter had not been received by Harlington Parish Council as it had been addressed to a Clerk who no longer works for the Parish Council. As this application was due before Committee due to a Parish Council objection it was suggested for deferral.
- Members moved to defer the application one cycle.

On being put to the vote for DEFERRAL for one cycle, it was unanimous.

RESOLVED

That the Planning Application No. CB/18/01651/RM at Harlington Station Yard, Station Road, Harlington be deferred for one cycle.

DM/18/131. Planning Application No. CB/18/03781/FULL (Shefford)

The Committee had before it a report regarding Planning Application No. CB/18/03781/FULL for demolition of No.32 Shefford road and existing nurse buildings, and the construction of 60 new dwellings, new vehicle access, site-wide highways works, and provision of associated landscaping and amenity space (including SuDS) at 32 Shefford Road, Meppershall, Shefford, SG17 5LN.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/additional comments and additional/amended conditions as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Parish Councillor Paul Smith, a representation in objection from Dr Chappell and a representation from the agent for the applicant in support from Paul Galgey.

Committee Members discussed the following points:

- It was reported by the public speaker that Meppershall will have had a cumulative housing increase of 30% in the last two years and the village infrastructure was under pressure as a result. The planning officer replied that each application must be judged on its own merit and the cumulative impact of other developments was not a consideration in determining the application before Committee.

- Members noted they sympathetic towards the amount development in Meppershall as it was noted that 145 houses previously refused by the Council had been granted by appeal to the Planning Inspectorate.
- It was noted that this application was not considered premature and to use this as a reason for refusal would be unlikely to be supported within the NPPF if the benefits of the application outweigh the harm.
- It was reported by the public speaker that Meppershall suffers from potentially dangerous traffic problems with pinch points by the shop and nursing home. The Highways officer responded that the application was supported by the Highways team, there had been a traffic assessment carried out and there was a condition for a raised table at the access point to the site. Members added that the raised table should not be constructed from tarmac, instead a material in keeping with its rural location should be considered.
- In response to a challenge to the validity of the noise survey, the Planning Officer noted that there had been no objections raised or conditions from the Pollution Officer.
- With regards to flooding concerns, it was noted that the FRA had been assessed by the Environmental Agency and they raised no objections. There was however conditions in relation to flood mitigation.
- In regards to a neighbour consultation, it was reported by the public speaker that the plans being considered differed from those shown to residents. In response the Planning Officer noted that the landscaping scheme conditions were seen to be sufficient to ensure the amenities to neighbouring occupiers.
- Members considered points raised by Ward Members in the form of a read statement. It reported that although Meppershall's infrastructure was under cumulative pressure from developments, the application was seen as sympathetic to the existing dwellings it would border and supported the traffic calming measures within the conditions. Ward Members added they would like careful consideration to be given to landscaping of the site and with adequate conditions they would support the approval of the application.
- Members agreed that a delivery clause should be added to ensure the application would come forward to support the five year land supply in any forthcoming S106 Agreement.
- It was noted that the application was subject to S106 agreement and made comment to the developers that contributions to S106 as stated within the report would be required as part of the approval.
- Members agreed to move as set out with the additions of conditions and informatives in the late sheet, the addition of a delivery clause to the S106 agreement.

On being put to the vote for APPROVAL, 10 voted in favour, and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/03781/FULL at 32 Shefford Road, Meppershall, Shefford, SG17 5LN, be approved as set out in the schedule attached to these minutes.

AT THE CONCLUSION OF ITEM 9 ABOVE COUNCILLOR A BROWN LEFT THE MEETING

NOTE: COUNCILLOR R BERRY LEFT THE MEETING AT 14.25 P.M. AND WAS NOT PRESENT FOR THE VOTE ON THE ABOVE ITEM.

DM/18/132. Planning Application No. CB/17/04959/OUT (Westoning, Flitton & Greenfield)

The Committee had before it a report regarding Planning Application No. CB/17/04959/OUT for a proposed residential development of up to 73 units comprising of flats and houses, including demolition of up to two units on Manor Close. Proposal also includes for a village shop, a village hall and a burial ground to be located within the site at Park Farm, Park Road, Westoning, Bedford, MK45 5LA.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses/additional comments and additional conditions as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Parish Councillor Tony Fraser, a representation in objection from Anthony Peters and a representation from the agent for the applicant in support from Wallace Young.

Committee Members discussed the following points:

- The Planning Officer drew the Members attention to the first paragraph of his report which stated that the application is subject to an appeal against non-determination. The appeal would be heard by method of a hearing on 2 April 2019. The application was therefore no longer before the Committee for determination. However, under paragraph 4.4.53 of Part 3E of the Central Bedfordshire Council Constitution, the non-determination of a major application needs to be reported to the Development Management Committee for a resolution and recommended for the Committee to ratify the refusal.
- Members noted the planning officers recommendation of refusal due to the failure of the application to fully consider heritage assets and their setting which includes a Scheduled Monument and whether there are

other more appropriate sites in areas with a lower probability of flooding. It was noted that no consideration of other sites was submitted and therefore the proposal is contrary to the NPPF and refusal was recommended on the grounds of no sequential test of more suitable sites.

- Members noted the public speakers concerns which mirrored those of the planning officer, with the addition of comments around protection of the Green Belt and protected species of otter and water vole being present on the application site.
- The planning officer reported that the site was not included in the original Call for Sites and not allocated in the Emerging Local Plan. The benefits of the application put forward by the applicant do not meet the needs of the area and there were no factors that were considered 'Very Special Circumstances (VSC's)'.
The planning officer noted that the application offered a village hall, shop and burial ground. The Parish Council noted that having a shop on this site was not preferable as it was on the periphery of the village, and a new village hall was not wanted as the existing village hall could be improved.
- Councillor Gomm gave a statement of objections on behalf of Ward Member Councillor Jamieson and left the meeting.
- Members heard from the Highways officer who stated that the traffic access as proposed was acceptable and conditions to enhance the village gateway and extend the speed limit towards the M1 with a 40mph buffer zone were included.
- Members discussed reasons for supporting refusal of the application. Members gave weight to the site being within the green belt, having no VSC's and there could be better locations for development. It was noted that the application was not compliant with policy DM4, DM14 and CS16; however, further justification is needed to proceed with the second reason for refusal in respect of harm to the countryside

On being put to the vote for REFUSAL, 9 voted in favour, 1 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/17/04959/OUT at Park Farm, Park Road, Westoning, Bedford, MK45 5LA, be refused as set out in the Schedule attached to these minutes.

NOTE: AT THE CONCLUSION OF THE ABOVE ITEM COUNCILLOR GOMM RETURNED TO THE MEETING AT 15.10 P.M.

DM/18/133. Planning Application No. CB/18/04183/OUT (Amphill)

The Committee had before it a report regarding Planning Application No. CB/18/04183/OUT for the erection of 14 dwellings including access at Land East of no.13 Clophill Road, Maulden, Bedford, MK45 2AQ.

In advance of consideration of the application the Committee's attention was drawn to additional comments as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Town Councillor Philip Allen, a representation in objection from John Broadhouse and a representation from the agent to the applicant in support from Graham Bloomfield.

Committee Members discussed the following points:

- Members noted the public speakers concerns such as loss of amenity, loss of countryside gap and erosion of the character of the village. It was noted that the transport statement was incorrect as bus routes have decreased since the statement was produced.
- Members noted the representation from the agent for the applicant who stated that the Planning Inspectors decision to dismiss the appeal was based only on the lack of provision of affordable housing, which has now been added to the application.
- The Ward Member noted that this application had been previously refused by the Committee and again refused by the Planning Inspector and the reasons for refusal should still stand. Policies CS17 and CS16 should support the refusal of the application.
- Members discussed the Planning Inspectors decision letter. It was noted that Central Bedfordshire Council can now demonstrate a five year land supply and that there were very strong objections from the landscape officer that had not been addressed in the appeal dismissal and remained a factor. It was noted that the application contravenes policy DM4 and DM14 and is set in a protected Green Sand area, an important countryside gap to prevent community coalescence.
- Members noted that appeal costs would not be a factor in considering this application. The legal advisor drew members attention to the Planning Inspectors appeal decision and that it was considered a material consideration.

On being put to the vote for APPROVAL, 4 voted for and 6 against and 1 abstention. The motion to approve was lost

- Members agreed to move for refusal on the grounds of being contrary to policies DM4, DM14 and it was considered detrimental to the character

of the settlement and surrounding area. Members voted for a named vote.

On being put to the vote for REFUSAL, 6 voted in favour – Councillors: Blair, Collins, Gomm, Young, Dixon and Bowater, 4 against – Councillors: Firth, Ghent, Janes and Nicols and 1 abstention – Councillor Matthews.

RESOLVED

That the Planning Application No. CB/18/04183/OUT at Land East of no.13 Clophill Road, Maulden, Bedford, MK45 2AQ, be refused.

AT THE CONCLUSION OF ITEM 11 ABOVE COUNCILLOR P DUCKETT LEFT THE MEETING

DM/18/134. Planning Application No. CB/18/03698/RM (Amphill)

The Committee had before it a report regarding Planning Application No. CB/18/03698/RM for a Reserved Matters application CB/17/04031/OUT dated 12.01.2018 to consider appearance, landscaping and scale at 9 Silsoe Road, Maulden, Bedford, MK45 2AX.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses/additional comments as set out in the Late Sheet. There were no representations from public speakers.

Committee Members discussed the following points:

- Members noted that the application was before committee due to comments from neighbours. The planning officer recommended the application for approval.
- The Ward Member reported there was no reason to oppose the application.
- Members agreed to move as set out.

On being put to the vote for APPROVAL, 10 voted in favour, 0 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/03698/RM at 9 Silsoe Road, Maulden, Bedford, MK45 2AX, be approved as set out in the schedule attached to these minutes.

THE COMMITTEE ADJOURNED AT 4.05 P.M. AND RECONVENED AT 4.16 P.M.

DM/18/135. Planning Application No. CB/18/04383/FULL (Caddington)

The Committee had before it a report regarding Planning Application No. CB/18/04383/FULL for retrospective change of use from agriculture to temporary use as storage area for 5 years, with ancillary landscaping works and formation of hardstanding area using road planings (scalpings) at Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU.

- In advance of consideration of the application the Committee's attention was drawn to a response from the applicant that they were unaware that the application was to be heard at the Committee and would have liked to make a representation.
- It was noted that the time limit for determination of the application had already expired and in the interests of natural justice the applicant should be able to respond. It was noted that the planning department had sent the relevant notifications but the applicant maintained they were not aware.
- Members moved for defer the application one cycle.

On being put to the vote for DEFERRAL for one cycle, 5 voted in favour, 4 against and 2 abstention.

RESOLVED

That the Planning Application No. CB/18/04383/FULL at Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU, be deferred for one cycle.

DM/18/136. Planning Application No. CB/18/04058/FULL (Aspley & Woburn)

The Committee had before it a report regarding Planning Application No. CB/18/04058/FULL for external steps and platform to access roof void storage over garage from existing garden level at Tree Tops, 13 West Hill, Aspley Guise, Milton Keynes, MK17 8DP.

In advance of consideration of the application the Committee's attention was drawn to additional consultation/publicity responses/additional comments as set out in the Late Sheet as well as representations from public speakers.

The public speakers included a representation in objection from Colin Bryant (read out by a Ward Member) and a representation from the applicant in support from Fabiana Hercheui.

Committee Members discussed the following points:

- Members noted the concerns of the neighbour in form of a statement read out by the Ward Member.
- It was noted that the applicant has erected a bamboo screening adjacent to the raised platform, it was not considered a part of the application before Members and would be processed and assessed by a separate application. However, the Ward Member noted that the screening was seen as adequate by the objecting neighbour.
- Members asked if the screening could be conditioned on the current application but after discussion decided that no such condition was required. It was thought the existing tree cover was sufficient.
- Members agreed to move as set out.

On being put to the vote for APPROVAL, 10 voted in favour, 0 against and 1 abstention.

RESOLVED

That the Planning Application No. CB/18/04058/FULL at Tree Tops, 13 West Hill, Aspley Guise, Milton Keynes, MK17 8D, be approved as set out in the schedule attached to these minutes.

DM/18/137. **Late Sheet**

In advance of consideration of the planning applications attached to the agenda the Committee received a Late Sheet advising of additional consultation/publicity responses, comments and proposed additional/amended conditions. A copy of the Late Sheet is attached as an appendix to these minutes.

DM/18/138. **Site Inspection Appointment(s)**

NOTED

that the next meeting of the Development Management Committee will be held on 6 March 2019.

RESOLVED

that all Members and substitute Members, along with the relevant ward representatives, be invited to conduct the site inspections on 4 March 2019.

(Note: The meeting commenced at 10.00 a.m. and concluded at 4.40 p.m.)

Chairman

Dated

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Item No. 05

APPLICATION NUMBER CB/18/02458/OUT
LOCATION Land to the east of Baden Powell Way, Biggleswade
PROPOSAL Outline planning permission for the demolition of existing buildings and development of up to 1,500 dwellings (Use Class C3), up to 2ha of commercial development (Use Classes A1, A2, A3, A4, A5, B1 a, b, c, B2 ,B8), up to 5ha of primary school development (Use Class D1) and up to 4ha of other leisure and community development (Use Classes D1 and D2), up to 60ha of open space including, play space, allotments and a country park, infrastructure including site access, internal roads, car parking, footpaths, cycleways, drainage and utilities.
PARISH Biggleswade
WARD Biggleswade North
WARD CONCILLORS Cllr Mrs Lawrence and Cllr Watkins
CASE OFFICERS Nik Smith and Thomas Mead
DATE REGISTERED 10th July 2018
EXPIRY DATE 09th October 2018
APPLICANT UK Regeneration Ltd
AGENT N/A
REASON FOR REFERRAL TO COMMITTEE Cllr Woodward requested that the application be determined by Committee for the following reason: ‘over development no services’. In addition, the development constitutes a Departure from the Development Plan and is Major development.

RECOMMENDED CONDITIONS

Time limits and approved plans	
1	<p><u>Time limits</u></p> <p>Details of the access, appearance, landscaping, layout and scale (hereinafter called the reserved matters) relevant to a phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development begins at that phase and the development shall be carried out as approved.</p> <p>(a) An application for the approval of reserved matters for the first phase of the development must be made to the Local Planning Authority no later than the expiration of three years beginning with the date of the grant of this outline permission; and</p>

	<p>(b) the development to which this permission relates must be begun no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.</p> <p>Reason: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.</p>
2	<p><u>Approved plans</u></p> <p>The development shall be carried out strictly in accordance with the following plans: UKR-EBM_HTA-A_DR_0010-Site Location Plan-C, UKR-EBM_HTA-A_DR_DO_PP02, UKR-EBM_HTA-A_DR_DO_PP03, UKR-EBM_HTA-A_DR_DO_PP04, UKR-EBM_HTA-A_DR_DO_PP05, UKR-EBM_HTA-A_DR_DO_PP06, UKR-EBM_HTA-A_DR_DO_PP07</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
<p>Phasing and Design Coding</p>	
3	<p><u>Phasing</u></p> <p>Prior to the submission of the first application for the approval of reserved matters at the site, a Phasing Plan for the development encompassing the whole of the application site shall be submitted to and approved in writing by the Local Planning Authority. All applications for the approval of reserved matters shall correlate directly with a phase or phases shown on the approved Phasing Plan.</p> <p>Reason: To ensure that the site is developed in appropriate and acceptable phases with required infrastructure and facilities available at the appropriate times.</p>
4	<p><u>Design Code</u></p> <p>Prior to the submission of the first application for the approval of Reserved Matters at the site, a Design Code shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The Design Code shall include a Character Area Plan for the development encompassing the whole of the application site. The Design Code shall include details of the following in respect of each Character Area:</p> <p><i>Housing</i></p> <ol style="list-style-type: none"> a. Minimum and maximum residential densities b. Maximum eaves and ridge heights c. Minimum internal space standards for habitable rooms and total dwellings d. Minimum private amenity space width and depths e. The design approach to waste and recycling storage and collection

facilities

- f. A palette of materials to be used in the construction of external surfaces
- g. A palette of architectural features to be incorporated into the design of buildings
- h. Minimum separation distances between dwellings
- i. A palette of means of enclosure
- j. The location of and minimum amounts of play spaces
- k. A palette of play equipment to be provided within play spaces
- l. How affordable housing will be dispersed throughout the Character Area
- m. Typical street scenes

Non-residential floorspace

- n. The location of and minimum and maximum amounts of non-residential floorspace
- o. The design approach to waste and recycling storage and collection facilities
- p. A palette of materials to be used in the construction of external surfaces
- q. A palette of architectural features to be incorporated into the design of buildings
- r. A palette of means of enclosure

The natural environment and leisure

- s. The location of and minimum amounts of landscaped areas within and between development parcels
- t. A palette of grasses, plants, flowers and trees to be used in landscaped areas at the site
- u. Examples of how existing and proposed water features at the site will be incorporated into the development
- v. The broad location of and general approach to biodiversity enhancement
- w. The landscape design approach to the Biggleswade Common Extension, the Linear Park Extension and landscape buffers around the site, where relevant to that Character Area
- x. The location and minimum amounts of allotments at the site, together with their design and servicing arrangements and associated facilities, where relevant to that Character Area

	<p>y. The location of and design approach to LAPs and LEAPs</p> <p>z. The location and minimum amounts of sports pitches, together with their design, details of drainage and servicing arrangements and associated facilities, where relevant to that Character Area</p> <p><i>Movement and access</i></p> <p>aa. A hierarchy of streets</p> <p>bb. Sections through typical streets</p> <p>cc. A palette of materials to be used in the construction of roads, cycleways and footpaths</p> <p>dd. A palette of typical street furniture</p> <p>ee. Minimum car and cycle parking numbers, including electric charging points</p> <p>ff. Minimum internal space standards for garages and carports</p> <p>gg. The location of and typical details of foot and cycle paths</p> <p><i>Compliance with the Environmental Statement</i></p> <p>hh. How development within each Character Area would confirm to the impacts tested by the ES.</p> <p>All subsequent applications for the approval of Reserved Matters shall be in strict conformity with the approved Design Code.</p> <p>Reason: To ensure that the quality of the development would be acceptable, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the Central Bedfordshire Design Guide 2014.</p>
Amount of development	
5	<p>No more than 1,500 dwellings shall be constructed at the site</p> <p>Reason: To ensure that the development is compatible with the planning permission.</p>
6	<p>No more than 3,200 sqm (GIA) of retail and leisure uses (Class A1-5 and D2 shall be constructed at the site. Within this maximum of 3,200 sqm: Class A1 convenience retail floorspace shall not exceed 1,000 sqm (GIA); Class A1 comparison retail floorspace shall not exceed 500 sqm (GIA); Class A1 non-retail, Class A2-5 and Class D2 uses shall not exceed 1,500 sqm (GIA). No single unit shall exceed 500 sqm (gross floor area).</p> <p>Reason: To ensure that the development would not cause harm to the vitality or viability of existing town centres in accordance with Policy DM7 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.</p>

Pre-commencement (whole site)	
7	<p><u>Archaeology</u></p> <p>No development shall commence at the site before a written scheme of investigation for an archaeological trial trench evaluation of the whole site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full in so far as it relates to any phase of development prior to the commencement of the development at that phase. A report that complies with the agreed parameters in the approved written scheme shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that impacts of the development on heritage assets are properly managed. 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 <i>National Planning Policy Framework</i> (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).</p> <p>This is a pre-commencement condition because measures to preserve and/or record archaeological heritage assets should be in place prior to development starting at the site.</p>
8	<p><u>Flood risk and drainage</u></p> <p>No development shall commence at the site before a Scheme to identify, mitigate and reduce flood risk on and off the site has been submitted to, and approved in writing by, the Local Planning Authority (LPA). This scheme shall:</p> <ul style="list-style-type: none"> • Include a detailed assessment of the site’s flood risk, from all sources. <ul style="list-style-type: none"> - This shall include the completion of a site-specific fluvial flood model for all watercourses within the development site. - The model shall cover a sufficient area so that the impacts of the proposed development upstream and downstream can be identified. - The model shall be submitted to and approved by the Environment Agency for inclusion into the Flood Map for Planning (rivers and sea). - A model report shall be submitted to support the model. This shall demonstrate how the model was built and provide guidance on the level of uncertainty within the model and how this uncertainty needs to be managed in the detailed design of the development. - The model shall provide information on a range of scenarios for both the pre- and post-development site, the present day and future flows, and actual and residual risks. • Demonstrate that no built development will be constructed within the functional floodplain. The area defined as functional floodplain shall be agreed by the LPA, in consultation with the Environment Agency. The defined functional floodplain can take into account appropriate mitigation measures such as removing channel constrictions, bypass channels and floodplain compensation. The appropriateness of the

	<p>mitigations measures is to be determine by the LPA in consultation with the Environment Agency and the Internal Drainage Board (IDB).</p> <ul style="list-style-type: none"> • Demonstrate that a sequential approach has been taken to the layout of the development. More and highly vulnerable development shall be avoided within the 1% annual exceedance probability (AEP) floodplain, including a suitable allowance for climate change. • Include a clear plan for phasing of the development to ensure that the mitigation measures are in place prior to any development within the current floodplain. • Demonstrate that all impacts of the proposed development can be mitigated for in a sustainable way. This includes any loss of floodplain storage and a decrease in the response time of the watercourses to rainfall events. • Provide measures to reduce the overall flood risk on and off the site. This can include, but should not be limited to, the provision of increased floodplain storage, reduced surface water run off rate and volumes, reduced flows within the watercourse, wetland creations and upstream storage. <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because flood risk and drainage issues must be resolved prior to the construction of any dwellings.</p>
9	<p><u>Drainage Strategy</u></p> <p>No development shall commence at the site before a detailed Surface Water Drainage Scheme for the site, to manage surface water run-off from the development for up to and including the 1 in 100-year event (+40%CC) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The discharge rate from the development shall be limited to an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed drainage Strategy (Part 4 of the Environmental Statement Addendum (including appendix C1) by PBA Nov 2018) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and shall be implemented and maintained as approved.</p> <p>The development shall be carried out in accordance with the approved Surface Water Drainage Scheme.</p> <p>Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies</p>

	<p>2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because a suitable surface water drainage scheme must be agreed prior to the construction of any dwellings.</p>
10	<p><i>Noise</i></p> <p>No development shall commence at the site before a Noise Receptor Plan Identifying Phases of the development where the following could be relevant has been submitted to and approved in writing by the Local Planning Authority:</p> <p>a) noise from road traffic and farm noise deriving from 'Smiths Land', West Sunderland Cottages, Sunderland Hall Farm, or other agri-industrial sources</p> <p>b) traffic noise associated with the development effecting existing dwellings at Smiths Land and/or West Sunderland Cottages</p> <p>Reason: To ensure that the impact of noise associated with the development is properly identified, understood and mitigated in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because the way in which the site is designed will need to have regard to potential noise related constraints.</p>
11	<p><i>Contamination</i></p> <p>No development shall commence at the site before a Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority.</p> <p>No building shall be occupied at the site before the following has been submitted to and approved in writing by the Local Planning Authority:</p> <p>Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.</p> <p>Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.</p> <p>Any such remediation/validation should include responses to any unexpected contamination discovered during works.</p>

	<p>Reason: To protect human health and the environment in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies Document (2009).</p> <p>This is a pre-commencement condition because the way in which the site is designed will need to have regard to land quality constraints.</p>
12	<p><u>Rights of Way</u></p> <p>No development shall commence at the site before a Public Rights of Way Scheme has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:</p> <ul style="list-style-type: none"> • the location and type of existing and proposed rights of way at the site • the design of the access to the site (including details of width, surfacing, boundary features, public safety features, bridges / culverts / fencing etc., and landscaping) • proposals for the diversion of any public rights of way where necessary • details of where and when temporary closures and alternative route provision of any existing public right of way during construction or advance works would be required <p>The development shall be carried out in accordance with the approved Public Rights of Way Scheme.</p> <p>Reason: To ensure that the development properly incorporates and where appropriate enhances the local public rights of way network, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because the way in which the site is designed will need to respond to existing and proposed public rights of way at the site.</p>
13	<p><u>Access</u></p> <p>No development shall commence at the site before full engineering details of the main access to the site have been submitted to and approved in writing by the Local Planning Authority. The access shall be completed in accordance with the approved details prior to the occupation of any dwelling or first use of any non-residential building at the site.</p> <p>Reason: To ensure that the access to the site is safe and suitable and provided at an appropriate stage of the development in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National</p>

	<p>Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because the details of an acceptable access to the site will need to have been agreed prior to housing being built at the site..</p>
<p>Phases</p>	
<p>14</p>	<p><u>Tree protection</u></p> <p>No development shall commence at a Phase of the development before an Arboricultural Impact Assessment and a Tree Protection Plan for that phase has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development of that phase shall be carried out in accordance with the approved Arboricultural Impact Assessment and Tree Protection Plan.</p> <p>Reason: To ensure that existing trees at the site are properly protected during and post construction in accordance with policies DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
<p>15</p>	<p><u>Archaeology</u></p> <p>No development shall commence at any phase of the development, including advanced infrastructure works before a written scheme of heritage asset resource management (SHARM) for that phase, which uses the results of trial trench evaluation as its basis, has been submitted to and approved in writing by the Local Planning Authority. The scheme of heritage asset resource management for each phase shall contain the following information:</p> <ul style="list-style-type: none"> • A method statement for the investigation of any archaeological remains present at the site that cannot be preserved <i>in situ</i>; • A method statement for the preservation <i>in situ</i> of any archaeological remains that can be protected within the development; • A programme of interpretation, public outreach and community engagement • An outline strategy for post-excavation assessment, analysis and publication; • A timetable for each stage of the archaeological works. <p>The development of each phase including advanced infrastructure works shall only implemented in full accordance with the approved scheme of heritage asset resource management.</p> <p>For each phase of the development, including advanced infrastructure works, the archaeological post-excavation assessment and an Updated Project Design shall be</p>

	<p>completed no later than 1 year after the completion of archaeological fieldwork. The Updated Project Design(s) shall follow the parameters set out in the outline strategy for post-excavation assessment, analysis and publication as agreed in the approved written scheme(s) of heritage asset resource management The Updated Project Design(s) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For each phase of the development, including advanced infrastructure works, the archaeological post-excavation analysis (as specified in the approved Updated Project Design), the preparation of the site archive for deposition with a store approved by the Local Planning Authority, the completion of the archive report and the submission of the publication report to the Local Planning Authority will be undertaken within three years of the approval of the Updated Project Design.</p> <p>Reason: To ensure that archaeological heritage assets are properly understood and protected in accordance with policies DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
16	<p>No development shall commence at a Phase of development that includes the Onion Drying Shed at West Sunderland Farm Cottages before a Written Scheme of Building Recording for that building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Written Scheme of Building Recording.</p> <p>Reason: To ensure that archaeological heritage assets are properly understood and protected in accordance with policies DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
17	<p><u>Surface Water Drainage</u></p> <p>No building/dwelling shall be occupied at a phase of the development before a Maintenance and Management Plan for the approved Surface Water Drainage Scheme for that phase that includes adoption arrangements and/or private ownership or responsibilities together with confirmation that the Scheme has been fully and correctly installed at the site has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the approved Maintenance and Management Plan.</p> <p>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, Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>

18	<p><u>Storm water construction and design details (IDB)</u></p> <p>No development shall commence at any Phase of Development before details of storm water design and construction for that Phase have been submitted to and approved in writing by the Local Planning Authority in consultation with the Internal Drainage Board. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that storm water is properly managed at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
19	<p><u>LEMP</u></p> <p>No development shall commence at any Phase of the development before a Landscape and Ecological Management Plan (LEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The LEMP for each Phase of the development shall include:</p> <ul style="list-style-type: none"> a) a description and evaluation of features to be managed. b) ecological trends and constraints on site that might influence management. c) aims and objectives of management. d) appropriate management options for achieving aims and objectives. e) prescriptions for management actions. f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period). g) details of the body or organization responsible for implementation of the plan. h) ongoing monitoring and remedial measures. i) details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery j) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the biodiversity objectives of the Scheme where the results from monitoring show that conservation aims and objectives of the LEMP are not being met. <p>Each Phase of the development shall be carried out in accordance with the approved Plan.</p> <p>Reason: To ensure that the landscape and the treatment of biodiversity at the site would be acceptable in accordance with policies DM14, DM15 , DM16 and DM17 of</p>

	<p>the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
20	<p><u>Noise</u></p> <p>No development shall commence at any Phase of the development identified as being relevant by the approved Noise Receptor Plan before a Scheme to mitigate noise at identified receptors has been submitted to and approved in writing by the Local Planning Authority. The Schemes shall include details of any noise barriers, building insulation, other necessary mitigation and a ventilation strategy for the proposed dwellings together with a timetable for the completion of the Scheme.</p> <p>The development shall be carried out in accordance with the approved Schemes and the approved timetables.</p> <p>Reason: To protect the amenity of existing residential occupiers and future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
21	<p>No development shall commence at any Phase of the development identified as being relevant by the approved Noise Receptor Plan before details of a Ventilation Scheme for dwellings in that Phase has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The Scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in the Building Regulations Approved Document F. The Scheme shall ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for road noise.</p> <p>Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
22	<p>No development shall commence at any Phase of the development where a non-residential use is proposed before a Scheme that assesses and mitigates noise at source and/or receptor from all PA or music equipment, plant or ancillary machinery including fans and ducting and external openings has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Mitigation measures set out in the approved Scheme shall be completed before the first use of the non-residential building to which the mitigation relates and shall be permanently retained thereafter.</p> <p>Reason: To protect the amenity of future occupiers of the proposed dwellings in</p>

	<p>accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
23	<p>No development shall commence at any Phase of the development where a non-residential use is proposed before a Scheme of Opening Hours for non-residential uses within that Phase has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall set out when non-residential uses shall open and close on each day of the week.</p> <p>The development shall be carried out in accordance with the approved Schemes.</p> <p>Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
24	<p><u>Light</u></p> <p>No development shall commence at any Phase of the development before a Lighting Design Scheme and Impact Assessment for that Phase of development has been submitted to and approved in writing by the Local Planning Authority. The Scheme and Impact Assessment shall identify and set out measures to eliminate or minimise to an acceptable degree any detrimental effect caused by light from the development on existing and proposed dwellings. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards and shall include a timetable for the completion of necessary mitigation.</p> <p>The development shall be carried out in accordance with the approved Scheme and the approved mitigation measures shall be permanently retained thereafter.</p> <p>Reason: To protect existing and future occupiers from light pollution associated with the development in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
25	<p><u>Odour</u></p> <p>No development shall commence at any Phase of the development where non-residential uses falling within Use Classes A3, A4 or A5 are proposed before an Odour Control Scheme for that Phase has been submitted and approved in writing by the Local Planning Authority, The Scheme shall detail how odour associated with cooking and food preparation will be mitigated and shall include a timetable for the completion of any identified mitigation measures.</p> <p>The development shall be carried out in accordance with the approved Scheme and the approved mitigation measures shall be permanently retained thereafter.</p> <p>Reason: to protect the future neighbouring occupiers from odour in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning</p>

	Policy Framework 2018.
26	<p><u>CEMP</u></p> <p>No development shall commence at a Phase of the development before a Construction Environmental Management Plan (CEMP) for that Phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP for each phase shall include:</p> <p>a) Proposed earthworks including method statement for the stripping of topsoil for reuse, the raising of land levels (if required) and arrangements for the temporary topsoil storage to BS3882:2007;</p> <p>b) A detailed method statement for the removal or long-term management / eradication of any Japanese knotweed on the relevant parts of the site – to include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981;</p> <p>c) Contractor’s access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;</p> <p>d) Details of haul routes within the relevant parts of the site;</p> <p>e) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractors compound during the construction period to be agreed on a phased basis;</p> <p>f) Collection and Delivery times for construction purposes will occur only between 0800 - 1800 Mon-Fri, 0800 - 1300 Saturday and not at all on Sundays and Public Holidays);</p> <p>g) Dust management, water sources and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction / engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant / equipment;</p> <p>h) Noise and vibration (including piling) impact / prediction assessment, , monitoring and recording protocols / statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of practice for noise and vibration control on construction and open site – Part 1 and 2 (or as superseded);</p> <p>i) Liaison, consultation and publicity arrangements, including dedicated points of contact;</p> <p>j) Complaints procedures, including complaints response procedures;</p> <p>k) Membership of the considerate contractors’ scheme and</p> <p>l) Piling method statement detailing mitigation measures, where piling is proposed.</p> <p>Reason: to ensure that construction at the site is carried out in acceptable fashion in the interests of living conditions of existing and future occupiers in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>

27	<p><u>Public Art</u></p> <p>No development shall commence at any Phase of the development before a Public Art Scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. Each Scheme shall include details of:</p> <ul style="list-style-type: none"> • Management - who will administer, time and contact details, time scales / programme • Brief for involvement of artists, site context, background to development, suitable themes and opportunities for Public Art • Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists • Community engagement - programme and events • Funding - budgets and administration. • Future care and maintenance. <p>The development shall be carried out in accordance with each approved Public Art Scheme.</p> <p>Reason: To ensure that the quality and appearance of the development would be acceptable for future occupiers in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
28	<p><u>Sustainability</u></p> <p>No development shall commence at any phase of the development before a Sustainability Statement relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The Sustainability Statement shall include details of how the development will meet at least 10% of its energy demand from renewable or low carbon sources and the development shall be carried out in accordance with the approved Statements.</p> <p>Reason: To ensure that opportunities for the use of renewable and low carbon energy sources is maximised in accordance with policies DM1 and DM2 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.</p>
29	<p>No development shall commence at any phase of the development, including any works of demolition, until a Construction Traffic Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:</p> <ul style="list-style-type: none"> • The parking of vehicles • Loading and unloading of plant and materials used in the development • Storage of plant and materials used in the development • The erection and maintenance of security hoarding / scaffolding affecting the highway if required. • Wheel washing facilities • Measures on site to control the deposition of dirt / mud on surrounding roads during the development.

	<ul style="list-style-type: none"> • Footpath/footway/cycleway or road closures needed during the development period • Traffic management needed during the development period. • 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. <p>The development shall be carried out in accordance with the approved Plan relevant to that phase.</p> <p>Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009, the Central Bedfordshire Design Guide 2014 and the aims and objectives of the National Planning Policy Framework 2018.</p>
30	<p>No development shall commence at any phase of the site before a Fire Safety Plan for that phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with Bedfordshire Fire and Rescue. The Plan shall include details of fire safety measures, including the location of fire hydrants and the development shall be carried out in accordance with the approved Plan.</p> <p>Reason: To ensure that fire safety at the site would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009, the Central Bedfordshire Design Guide 2014 and the aims and objectives of the National Planning Policy Framework 2018.</p>

INFORMATIVES

Rights of Way

1. The applicant is advised to ensure that the definitive legal line of any public right of way is mapped at the earliest opportunity and that no development should take place on or near a public right of way unless the necessary statutory legal process has been completed in accordance with one of:-
 - a. An order made, confirmed and certified under the provisions of Section 257 of the Town and Country Planning Act 1990
 - b. An order made, confirmed and certified under the provisions of the Highways Act 1980
 - c. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

Diversions to Rights of Way under the TCPA typically take 4-6 months. If applied for later under the highways act they can take 18 months. TTRO's

must be applied for at least 12 weeks prior to the desired commencement of the closure

Contamination

2. The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS)

3. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

Pollution Prevention

4. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.
5. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
6. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings susceptible to oil contamination shall be passed through an oil

separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

7. Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.
8. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters or groundwater.

Highways

9. The applicant is advised that in order to comply with conditions attached to this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. 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. 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.
10. The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.
11. 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".
12. The detailed design of phases of the development should show roads visibility splays at all internal 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.
13. The detailed design of phases of the development should show roads (with a 20mph design speed) and footpaths laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them.

Design Coding

14. The applicant is advised that the Local Planning Authority expects that the Design Code that is the subject of condition 5 attached to this planning permission will be developed collaboratively through a Design Code Forum. That Forum should consist of members of the applicant/developer project team together with relevant Council officers and Members and representatives from relevant external bodies. No Design Code should be submitted for approval by the Local Planning Authority before the Design Code Forum has formally endorsed that document.

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 National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Item No. 5

APPLICATION NUMBER	CB/18/02458/OUT
LOCATION	Land to the east of Baden Powell Way, Biggleswade
PROPOSAL	Outline planning permission for the demolition of existing buildings and development of up to 1,500 dwellings (Use Class C3), up to 2ha of commercial development (Use Classes A1, A2, A3, A4, A5, B1 a, b, c, B2 ,B8), up to 5ha of primary school development (Use Class D1) and up to 4ha of other leisure and community development (Use Classes D1 and D2), up to 60ha of open space including, play space, allotments and a country park, infrastructure including site access, internal roads, car parking, footpaths, cycleways, drainage and utilities.
PARISH	Biggleswade
WARD	Biggleswade North
WARD CONCILLORS	Cllr Mrs Lawrence and Cllr Watkins
CASE OFFICERS	Nik Smith and Thomas Mead
DATE REGISTERED	10th July 2018
EXPIRY DATE	09th October 2018
APPLICANT	UK Regeneration Ltd
AGENT	N/A
REASON FOR REFERRAL TO COMMITTEE	Cllr Woodward requested that the application be determined by Committee for the following reason: ‘over development no services’. In addition, the development constitutes a Departure from the Development Plan and is Major development.

RECOMMENDED DECISION

It is recommended that:

Development Management Committee supports the outline planning application subject to withdrawal of the Highways England holding objection, the conditions set out at Appendix 1 and the satisfactory completion of a legal agreement securing the obligations described in this report and thereafter authorises the Assistant Director – Development Infrastructure in consultation with the Chairman, Vice-Chairman, Executive Member for Regeneration and Business and relevant Ward Members to grant outline planning permission providing that no new material changes to the planning application arise as a result of the measures proposed to mitigate the impacts of the development on the strategic highways network.

1.0 Summary of Recommendation

- 1.1 Whilst the development would conflict with Policy DM4 because the site falls outside of a Settlement Envelope, within the Open Countryside, the site has been allocated for this scale and type of development in the emerging Local Plan and would result in a substantial contribution towards local housing delivery, including in the immediate five-year period, which would help to bolster the Council's housing land supply. These constitute material planning considerations that should be found to outweigh that policy conflict.
- 1.2 The detailed design of the development would be managed through a Design Code. A [Development Brief](#) for the site has been endorsed for development management purposes. That, when taken together with documents submitted as part of the planning application, like the Design and Access Statement and with recommended planning conditions, provide sufficient comfort that the Design Coding process and subsequent reserved matters submissions will result in a high quality of development at the site.
- 1.3 Impacts on existing local infrastructure would be mitigated through planning obligations, secured through a s106 agreement.
- 1.4 It is recommended that Development Management Committee supports the outline planning application subject to withdrawal of the Highways England holding objection, the conditions set out at Appendix 1 and the satisfactory completion of a legal agreement securing the obligations described in this report and delegates authority to determine the outline planning application to the Assistant Director – Development Infrastructure in consultation with the Chairman, Vice-Chairman, Executive Member for Regeneration and Business and relevant Ward Members providing that no new material changes to the planning application arise as a result of the measures proposed to mitigate the impacts of the development on the strategic highways network.

2.0 Site Location

- 2.1 The site has an area of around 106.5ha and is located immediately to the east of the development known as King's Reach, which is to the north and east of the main body of the Settlement of Biggleswade. The site is outside of a designated Settlement Envelope, within the Open Countryside.
- 2.2 Biggleswade is defined by the Core Strategy as a Major Service Centre, which means it is amongst the most sustainable locations for new development in Central Bedfordshire. Biggleswade is served by a number of schools, a train station with connections to London and the A1 road. The town centre provides a range of shops and services for local people. The site is approximately 3km from the town centre. There is a local bus service that currently links Kings Reach to the town and the train station.
- 2.3 The site is currently used for agriculture, with West Sunderland Farm at around the centre of it. It contains brooks and a reservoir and a number of public rights of way, which provide connections to the wider green infrastructure network, including Biggleswade Common, to the north west and

the Biggleswade Green Wheel. There are a series of electricity pylons that pass northwest to southeast through the western side of the site.

- 2.4 West Sunderland Farm Cottages and Sunderland Hall Farm are immediately adjacent to the eastern boundary of the site. Sutton is further to north and Dunton and Eyeworth are to the east and southeast.
- 2.5 Parts of the site are designated as falling within Environment Agency Flood Zones, including Zones 2 and 3.

3.0 The Planning Application

3.1 Outline planning permission is sought with all matters reserved for subsequent approval except for access. The proposed development comprises:

- Up to 1,500 dwellings;
- Up to 2ha of commercial development (in use classes A1 (retail), A2 (professional services), A3 (food and drink), A4 (drinking establishments), A5 (hot food takeaway), B1 (business), B2 (general industrial) and B8 (storage and distribution));
- Up to 5ha of primary school development;
- Up to 4ha of leisure and community development (Use classes D1 and D2); and
- Up to 60ha of open space.

3.2 The application was originally submitted as a 'Hybrid', with full planning permission sought for part of the site, and outline consent sought for the remainder. This was amended part way through the application process, and the necessary re-consultation carried out.

3.3 The planning application is supported by parameter plans, for which approval is sought. These relate to:

- Demolition at the site
- The site access;
- Development parcels;
- Circulation;
- Land-use; and
- Landscape.

The Development Brief

- 3.4 In November 2018 Development Management Committee endorsed a [Development Brief](#) relating to this development for development management purposes.
- 3.5 The Development Brief was designed to interpret the requirements of relevant planning policy and guidance and demonstrate, in broad terms, how they would be achieved by a development at this site.
- 3.6 The Development Brief constitutes a material consideration in the assessment of this, and subsequent applications for permission at this site.

Environmental Statement

- 3.7 Owing to the nature of the proposal development, an Environmental Statement under the Environmental Impact Assessment Regulations 2017 was submitted. Before determining the application, the Council must consider the environmental information contained in the Environmental Statement (ES), including further information submitted, as well as representations from consultees about the environmental effects of the development.
- 3.8 The ES assesses likely environmental impacts from the development including its construction and operation, including cumulative impacts from other ongoing developments. The ES identifies the existing (baseline) environmental conditions, and the likely environmental impacts (including magnitude, duration, and significance) and identifies measures to mitigate any adverse impacts. A summary of potential positive and negative residual effects remaining after mitigation measures is also given.
- 3.9 The ES itself does not necessarily consider compliance with planning policies and so planning permission does not have to be granted or refused based on its findings, but these are material considerations. Where significant adverse effects are found, consideration will need to be given to mitigation proposed and then ultimately to whether any remaining impact (significant or otherwise) warrants refusal or if such harm is outweighed by other benefits.
- 3.10 The ES contains chapters that consider the following impacts:
 - Socio-economics
 - Landscape and visual
 - Biodiversity
 - Flood risk and drainage
 - Transport and access
 - Noise and vibration
 - Air Quality

- Lighting
- Archaeology and cultural heritage

3.11 Further information supplementing the ES was submitted by the applicant pursuant to Regulation 25 of the EIA Regulations 2017.

3.12 Officers are satisfied that the ES (taken together with the further information received pursuant to Regulation 25) has adequately considered the potential environmental impacts of the development.

4.0 Planning Policy and guidance

4.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The policies of the Development Plan, and other planning policy and guidance that could constitute material considerations are set out below:

The Development Plan

4.2 The Development Plan comprises the Core Strategy and Development Management Policies Development Plan Document 2009, the Site Allocations Document and the Proposals Maps. Those policies of the Core Strategy and Development Management Policies that are relevant to the determination of this application are set out below:

CS1	Development Strategy
CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities - Accessibility and Transport
CS5	Providing Homes
CS6	Delivery and Timing of Housing Provision
CS7	Affordable Housing
CS9	Providing jobs
CS13	Climate Change
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity
DM16	Green Infrastructure

DM17 Accessible Green Spaces

Other relevant planning policy

The National Planning Policy Framework (2018)

- 4.3 The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. At the heart of the Framework is a presumption in favour of sustainable development.

The Central Bedfordshire Local Plan 2035

- 4.4 The Central Bedfordshire Local Plan was submitted to government on the 30th April 2018 and will now be subject to an independent examination by a Planning Inspector. The hearings part of the examination of the Plan is expected to commence in Spring 2019.

- 4.5 Paragraph 48 of the Framework sets out that local planning authorities may give weight to relevant policies in emerging plans according to:

- a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c. The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 4.6 The Local Plan policies that are relevant to the determination of this application are set out below:

SP1	Growth Strategy
SP2	National Planning Policy Framework – Presumption in Favour of Sustainable Development
SP3	Generic Requirements for Strategic Sites
SA4	East of Biggleswade
SP5	Preventing Coalescence and Important Countryside Gaps
SP6	Settlement Hierarchy
SP7	Development Within Settlement Envelopes
H1	Housing Mix
H2	Housing Standards
H3	Housing for Older People
H4	Affordable Housing
H6	Starter Homes
H7	Self and Custom Build Housing
R1	Ensuring Town Centre Vitality
T1	Mitigation of Transport Impacts on the Network

T2	Highways Safety and Design
T3	Parking
T4	Public Transport Interchanges
EE1	Green Infrastructure
EE2	Enhancing Biodiversity
RR3	Nature Conservation
EE4	Trees, Woodlands and Hedgerows
EE5	Landscape Character and Value
EE6	Tranquillity
EE11	The River and Waterway Network
EE12	Public Rights of Way
EE13	Outdoor Sport, Leisure and Open Space
CC1	Climate Change and Sustainability
CC3	Flood Risk Management
CC4	Development Close to Watercourses
CC5	Sustainable Drainage
CC6	Water Supply and Sewerage Infrastructure
CC7	Water Quality
CC8	Pollution and Land Instability
HQ1	High Quality Development
HQ2	Planning Obligations and the Community Infrastructure Levy
HQ3	Provision for Social and Community Infrastructure
HQ4	Indoor Sport and Leisure Facilities
HQ5	Broadband and Telecommunications Infrastructure
HQ7	Public Art
HQ9	Larger Sites
HQ11	Modern Methods of Construction
HE1	Archaeology and Scheduled Monuments
HE3	Built Heritage
DC5	Agricultural Land

Guidance documents

- 4.7 The following guidance and background documents are relevant to the determination of this application:
- National Planning Practice Guidance
 - Central Bedfordshire Design Guide 2014
 - Sustainable Drainage Guidance SPD 2014
 - The Leisure Strategy 2014
 - Central Bedfordshire Landscape Character Assessment 2015
 - Land East of Biggleswade Development Brief 2018

5.0 Planning History at the Site

5.1 There is no relevant planning history at the site.

6.0 Responses from Consultees

6.1 Internal and external consultees were written to when the application was submitted and when amended plans and documents were received.

6.2 The Local Planning Authority has carried out its consultation obligations in line with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

6.3 The responses received as set out below (paraphrased where appropriate and excluding recommended conditions, which are at Appendix 1 where found to meet the relevant tests):

Biggleswade Town Council

6.4 The Town Council has no objection to this outline planning application.

Sutton Parish Council

6.5 Sutton Parish Council is against development on this prime agricultural land which should be maintained for farming. In addition, we would like to make the following comments:

- We are not in favour of having communal car parks and, being out of sight, encourages theft and vandalism which is increasing in this area.
- High-storey apartments are totally out of character for a rural setting as is the idea of having beach hut style houses.
- The plans make no provision for affordable housing or accommodation for the elderly.
- There is no provision for health, schools and transport.
- Where will the costs of maintaining the proposed park areas and football pitches fall?

Environment Agency

6.6 We are able to remove our objection. The Flood Risk Assessment (FRA) submitted with this application has identified that part of the site, marked as a residential development parcel, is within Flood Zone 3b (functional floodplain). This is contrary to the National Planning Policy Framework (NPPF) Sequential Test and ordinarily we would be minded to maintain our objection. However, we are aware that the consultants have undertaken additional modelling, that we are confident will ensure that no built development will occur in Flood Zone 3. This area also only forms a small part of the site and given that the application is for Outline permission, we have no objections as long as:

- The masterplan is taken as being indicative only
- A detailed FRA is carried out to identify the exact areas at risk.
- A sequential approach is taken in the detailed design so that no residential development is located within the floodplain
- Appropriate mitigation measures are put in place prior to development
- Overall flood risk reduction is achieved through the development

6.7 Our comments assume that the current masterplan is indicative only. Following the detailed assessment of the flood risk onsite, the current layout may fail to meet the requirements of the draft Local Plan Policy SA4 i.e. “The development will be designed to ensure that uses and developments within the site that are vulnerable to flood risk are located beyond areas of flood zones 2 and 3”.

6.8 Mitigation measures proposed by the applicant may allow for areas currently in the functional floodplain to be developed by adjusting its extent onsite. However, it has not yet been fully demonstrated that this is feasible. Therefore, if the mitigation measures prove unfeasible, the residential areas currently within the identified floodplain, will be have to be relocated onsite, or removed from the proposals.

6.9 If your Authority consider that this is not practical, or that the current permission will fix the layout to the current masterplan, then we will wish to be re-consulted.

6.10 The proposed development will only meet the requirements of NPPF policy to ensure the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall, if the following planning condition is included.

Highways England

6.11 Holding objection.

Historic England

6.12 No comment.

Natural England

6.13 No response received.

Bedfordshire Fire and Rescue

6.14 Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw the developer’s attention to the requirements of Building Regulations “Approved Document B (Fire Safety)

Volume 1 - Dwelling houses” or “Volume 2 - Buildings other than dwelling houses” as appropriate, particularly ‘B5 - Access and Facilities for the Fire Service’, to ensure compliance is met.

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

Internal Drainage Board

- 6.16 It is noted that the Flood Risk Assessment submitted has been accepted by the Environment Agency on the basis of several conditions being applied which are acceptable to the Board. In addition to these the Board must make clear that as the mitigations proposed are to be carried out on a watercourse under the statutory control of the Board, these works will be subject to the applicant entering into a legal agreement with the Board. Without this legal agreement being in place, no development, including ground levelling should be permitted. Without it, the outline masterplan layout will not be achievable.

Anglian Water

- 6.17 No response received.

Bedfordshire Clinical Commissioning Group

- 6.18 Acknowledging that discussions with the developer have concluded that the land option is unable to be agreed at this point in time but that the site does need to make a proportionate and meaningful contribution towards the delivery of local healthcare, this has been discussed with both Central Bedfordshire Council and Bedfordshire CCG senior management. It can now be confirmed this position is acceptable.
- 6.19 This acceptance is based on agreement of the full contribution requested in the Infrastructure Development Plan and again on 27 September, calculated on the health impact of an additional 3,900 patient requirements this site will generate.
- 6.20 The anticipated build programme for the hub at the hospital site is as follows:
- Construction due to commence June 2020
 - Expected completion by November 2021
- 6.21 Ideally the contribution will be secured in advance of construction and definitely received in totality before November 2021.
- 6.22 In terms of justification of proportionality of the site impact; the health impact of this site was carefully considered when commenting on the Local Plan; hence the Local Plan health requirement calculations for all strategic sites were sent to the Council in 2017 with £3,667,500 identified against

development of SA4. That figure formed part of the IDP which was made public to enable interested parties for all strategic sites sufficient time to factor the health infrastructure figures into their viability calculations.

- 6.23 In more detail - Primary Care is currently commissioned by NHS England which has a co-commissioning relationship with Bedfordshire CCG. The primary care calculation is based on a formula adopted across the NHS Midlands and East (Central Midlands) team to provide consistency for all the 25 local authorities it works with and as part of the single operating model of best practice it has developed. It has been consistently accepted and supported by Inspectors at Appeals and also by the Secretary of State, when ministerial decisions are required for particularly sensitive sites.
- 6.24 Acute services are commissioned by Bedfordshire CCG from a number of acute trust providers; including Lister, Bedford, and Luton and Dunstable hospitals to ensure all patients across the geographical spread have timely access to acute care based on need, rather than postcode. Biggleswade residents already use these three hospitals as will SA4 residents.
- 6.25 Acute service contributions are calculated by activity type and recorded attendance data. These secondary care activity type attendance numbers reflect a lower proportion of the population than the 90% first accessing healthcare via GP provided primary care services.
- 6.26 Activity type attendance data is broken down into: Non-elective admissions excluding maternity; Maternity admissions; Elective admissions; Day Care admissions; diagnostic services and procedures; A & E attendances; Outpatients first attenders; Outpatients follow up attenders.
- 6.27 This approach then determines the proportionate growth of specific development sites from which additional space requirements are determined by infrastructure type – Wards; Theatres; A & E space; Outpatients Suite/consulting rooms; MRI CT Ultrasound and X Ray etc. The acute services build costs per infrastructure type are considerably more expensive than for primary care, due to their complexity and highly sophisticated technical requirements. Note the complex acute calculations used for the IDP and this planning application were based on 2014 build cost figures and the CCG is currently reviewing those infrastructure costs.
- 6.28 Community and Mental Health services are also commissioned by Bedfordshire CCG.
- 6.29 A similar calculation using the same attendance methodology for Community health services provision establishes an infrastructure cost per dwelling of £114.10.
- 6.30 A final secondary healthcare consideration relates to mental health services and here the attendance methodology establishes an infrastructure cost per dwelling of £130.40. The mental health costs per dwelling reflect differing infrastructure types such as in-patient wards as well as community based mental health provision.

- 6.31 I trust this explanation of the complex calculations for health delivery provides the proportionality rationale for the health requests for development sites in general and in particular the impact of this site's additional 3,900 patients on local health provision.

Network Rail

- 6.32 No objection subject to funding being secured for upgrades to Lindsells's Crossing.

Campaign to Protect Rural England (CPRE)

- 6.33 CPRE Bedfordshire strongly objects to the above application for the following reasons:

- 6.34 The Application is premature Central Bedfordshire Council (CBC) has recently submitted its Local Plan 2035 to the Government (DHCLG) under Regulation 19 for approval by an Inspector at an "Inspection in Public". This democratic process is intended to examine all areas of the submitted Local Plan 2035 and to hearing public, representations from all stakeholders both for and against it.

- 6.35 Having heard all representations, the Inspector will then decide if the Local Plan and the various Policies within it can be approved.

- 6.36 Many stakeholders including residents of Biggleswade, have made representations at the pre-submission stage to CBC voicing their serious concerns about the Local Plan generally and specifically the proposals for the development of 1,500 homes to the East of Biggleswade –Policy SA4. These comments have been passed to the Inspector for consideration.

- 6.37 Stakeholders will make their concerns known again at the "Inspection in Public". The site described in this Application was put forward by the Applicant in the Local Plan 2035 "call for sites" and forms the basis of Policy SA4. It seems to us therefore, that by submitting this Planning Application prior to the determination by the Inspector of the validity of Policy SA4, and the Local Plan 2035 itself that the Applicant is trying to subvert the democratic process.

- 6.38 It is CPRE Bedfordshire's view that the Application should be refused on the grounds of prematurity. Para 14 PPG – reasons for refusing an application on the ground of prematurity include:

- a. The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development central to an emerging Local Plan or neighbourhood planning; and
- b. the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 6.39 CBC has demonstrated that it has a robust 5 Year Forward Land Supply. In fact, as at 1 July 2018 it has a Forward Land Supply of 5.82 years. Therefore, CBC has no need for additional development land at this time and can wait until the Inspector has determined the validity of the submitted Local Plan 2035 and Policy SA4.
- 6.40 Biggleswade Town Council has started the process of developing a Neighbourhood Plan as described in the Localism Act. The Neighbourhood Plan will enable local residents to decide, amongst other things and against the background of housing targets set by CBC's approved Local Plan 2035, which land should be developed and what type and design of dwellings and other Development they would like to see in their area. Biggleswade Town Council should therefore be allowed to complete their Neighbourhood Plan before either they, or CBC consider this major Planning Application which will have a considerable impact on their area and which their Neighbourhood Plan may not approve of.
- 6.41 The Applicant should have provided more detail of the proposals contained in the Outline section of the Application. CPRE Bedfordshire does not believe that it is appropriate for a Planning Application of this type to be handled as a Hybrid Application with such minimal "Outline" information when it represents the development of a single large village and associated infrastructure on a very substantial area of land. The entire site being 106.5 ha (270 acres)-equivalent to 152 football pitches. This lack of detail is particularly problematic with this Application since the various elements (Full and Outline) of the site-dwellings, community facilities, schools, minor and major highways infrastructure, water/sewage systems, open green spaces etc. etc. will be very interdependent one upon the other.
- 6.42 With regard to the "Outline" part of the Planning Application: The Applicant has given nothing but very rough details of the plans for 1,260 dwellings and 2 ha of Commercial Development. The same is true for the Primary School and the 4 ha for Leisure and Community Development. The Applicant states that a total of up to up to 60ha will be allocated to Open Space, Allotments, a Country Park, Infrastructure including Roads, Footpaths, Cycle Ways, Utilities etc without being specific about how much land will be allocated to each of these areas. 60 ha sounds like a lot of land but it may not seem so generous when it is allocated to each of the areas specified above by the Applicant.
- 6.43 It is accepted that, at an early stage of planning, it is not always possible to include comprehensive details. However, CPRE Bedfordshire believe that more detailed Outline plans, particularly regarding land use, should have been incorporated by the Applicant. For a strategic site of this nature which is effectively an urban extension to the town of Biggleswade and which will impact on surrounding villages, we consider this to be unacceptable.

Bedfordshire Rural Communities Charity (BRCC)

- 6.44 Whilst neither supporting or opposing this planning application, BRCC has the following comments which we ask to be considered by both CBC and the promoter of the development:

Local Infrastructure

- 6.45 Biggleswade has expanded rapidly over the last 10 years, with a significant burden placed on local infrastructure; especially roads, parking and the railway station. A development of the scale proposed – and the anticipated additional settlements east of the town – will place an even greater burden on infrastructure. Additionally, there are a number of amenities that many communities of a similar population have which Biggleswade does not – including leisure facilities, country parks, etc.
- 6.46 We would ask that a long term, strategic approach is taken to infrastructure provision and management, to ensure that Biggleswade can genuinely thrive, rather than simply ‘cope’, with the large scale and long-term population increases proposed. Planning decisions made at this time should ensure that any development – both proposed now and anticipated in the future – help to solve, rather than exacerbate the town’s infrastructure issues.
- 6.47 We welcome the applicant’s ‘town centre first’ approach and would encourage maximum connectivity, especially for non-motorised and community transport access. The location of the proposed development poses challenges for residents to access Biggleswade – in particular the Town Centre, Railway and Bus Stations and also to the Retail Park. BRCC’s Community Transport Team would be willing to discuss the potential provision of a community transport scheme.

Green Infrastructure

- 6.48 We welcome the emphasis on green infrastructure – access routes and green spaces - and would seek a role in working with the applicant to inform the detail of the GI provision.
- 6.49 As a lead partner in the Biggleswade Green Wheel we would want to see:
- links from the development site to the existing GW created
 - appropriate mitigation where roads into the development site cross the route of the current BGW
 - the creation of a mini-green wheel, for the new settlement
- 6.50 The current non-vehicular route proposal is not considered to be adequately planned (with bridleway and pedestrian routes running parallel to each other; and path status’ not providing appropriate connectivity). BRCC and the BGW Development Group would welcome the opportunity to inform a Rights of Way strategy for the development, the production of which we believe should be a planning condition, should consent be granted.
- 6.51 We believe that the greenspaces and habitats proposed have the potential to be both rich in biodiversity and great landscape/ amenity value. It is noted that watercourses and the management of surface water is a significant issue for this development; and can play a significant role in landscape/ amenity and

biodiversity enhancement. BRCC hosts the Upper & Bedford Ouse Catchment Partnership, with partners including EA and the IDB; and are particularly interested in water quality/ quantity and biodiversity. BRCC was pleased to be invited to visit the site with the applicant to discuss wildlife issues and would welcome further opportunities for our Ecologist to inform habitat creation as part of a detailed GI plan for the area.

Community Building

- 6.52 BRCC's Community Buildings Advisor has looked at the plans for the proposed community building. We would like to know how the applicant has arrived at the size and spec of the facility; as normally we would expect some local engagement and consultation to be undertaken. It seems to us that the proposed facility is too small for the population it will be servicing (presumably the full 1,500 dwellings of the settlement). Community buildings often suffer through lack of appropriate parking and we would ask that this is addressed. BRCC's Community Buildings Advisory service has worked with a number of communities / new community buildings in recent years; ensuring that what is provided is desired, appropriate and has correct management arrangement in place. We would be keen to discuss the provision of this service with the applicant.

Social Infrastructure

- 6.53 Should consent be granted for this application, BRCC would seek to work with CBC and the applicant to ensure that a true community, rather than just a settlement, is created. In addition to the built and green infrastructure, social infrastructure (communications, groups, information and support) is essential in creating a thriving community. BRCC leads many initiatives – Good Neighbour Schemes, Community Agents, Health Walk groups and conservation volunteering groups (including the Friends of Biggleswade Green Wheel) – and we would seek to work with the applicant to have a presence on the ground, promoting these and other initiatives as the settlement begins to be occupied.

CBC Landscape Officer

- 6.54 The revised parameter plans and DAS provide a broadly acceptable context for the proposed development. There is some concern regarding the proposal for 5 storey development, particularly where this would be close to the boundary of the site, as within Parcel F, with the potential for visual intrusion as seen from the countryside and rights of way to the south.
- 6.55 The Landscape Strategy provides a framework for the strategic landscape infrastructure required - some points to be considered in the detailed design codes are given below. The Strategy indicates that an integrated approach to landscape provision and will provide extensive areas of naturalistic parkland which will accord with the CBC Landscape Character Assessment's requirements for the area. The character of the Upper Ivel Valley should pervade through the development - this ambition will be realised through the creation of features such as the West Brook Linear park and the extension of

the Biggleswade Common landscape. The sympathetic design of suds with ponds, swales, the establishment of meadow grassland and wetland tree planting will be fundamental to creating the desired sense of place. The more formal approach promoted within civic areas and the sports facilities have the potential to create a range of quality open spaces.

Design Codes

- 6.56 The detailed design will need to be governed through agreed design guidance to ensure that the development secures the vision expressed in the DAS. These guides will need to specify the scale and character of the landscape infrastructure.
- 6.57 The internal landscape associated with residential areas will be fundamental to local identity and the planting palette should aim to reinforce the Ivel Valley/Dunton Vale setting, with extensive use of native (including varieties of) trees and shrubs as well as appropriate ornamental species to provide variation and disease/ climate change resilience such as Liriodendron, Liquidamber, and could include conifers such as swamp cypress and metasequoia. The landscape strategy indicates there will be space for establishing larger tree species, most importantly along the Main Avenue streets, which is welcomed.
- 6.58 Design aspects where enhanced landscape provision would be beneficial:
- The pylon corridor is clearly strongly linear, although the visual impact is reduced in the south, where the pylons edge the large open space and sports pitch provision. The pylon corridor is planned to form an ecological corridor between parcels A and C. It would be helpful to strengthen the "east-west " green corridors within the residential parcel, to create larger nodal points to counter the regularity of the corridor. Car parking provision would need to be interspersed with planting to minimise this urban element. shrub planting of dogwoods, willow, hazel could be used to integrate the pylons and respond to the scrub habitat on the Common.
 - Green links - the east -west landscape framework should be enhanced, using ecologically beneficial hedges, if space is not available for more trees. In addition, the use of climbers, particularly to soften brick elevations, green fences (climbers integrated with suitable fencing) or pleached trees could be used to create visual and ecological connectivity.
 - North Brook Parkland - care will need to be taken to maintain an over-riding naturalistic approach. The design of the play facilities and allotments will need to respect the rural character envisaged.
 - The design of the Suds should have a greater integrating role: the CBC Design Guide promotes the use of surface Suds, including rain gardens. Key buildings should also include treatments such as green walls and roofs which will assist with drainage but also help to mitigate views from higher ground.

6.59 The provision of 60 ha. of open space across the Masterplan is welcomed. Biggleswade has had a long tradition of horticulture and market gardening and within this development there is scope to include a more traditional area of amenity parkland with planted beds to reflect this which would provide alternative experiences to the extensive naturalistic landscape. The proposal for new orchards accords with landscape and ecological aspirations and is welcomed.

6.60 Following further design input, a detailed landscape specification will be required. A Landscape and Ecology Management Plan will also be required.

CBC Highways Officer

6.61 No objection subject to planning conditions being imposed.

CBC Strategic Transport Officer

6.62 No objection subject to planning conditions and legal obligations secured through a s106 agreement.

CBC Rights of Way Officer

6.63 The additional footways highlighted in the Public Rights of Way Supplementary Supporting Note are a welcome addition to the broader rights of way. These should be made Definitive Rights of Way routes to ensure their longevity.

6.64 CBC Rights of Way would want to see the extension of western PRow to run along the river and connect through to the track and sports pitches, as part of a condition for planning consent. (as highlighted in the Public Rights of Way Supplementary Supporting Note).

6.65 Although the bridleway D to G remains it also appears to be a main access route into the development. (main primary road). The bridleway will need to be separated from the road creating a 3m wide track with 0.5m margins (total 4 m wide). Post and Rail fencing should separate the road from the bridleway. Ideally it should be set away from roads for safety reasons.

6.66 The footpath A to C appears to run through green space which is advantageous. The footpath should be 2.5m wide with a quarter metre margin either side. Planings should be used for the surface and dusted. CBC hold the required specification.

6.67 The new footway proposed (dashed red line) will be essential to link the new dedicated bridleway (dashed blue line) with footpath A to C, its surface to be the same as footpath A to C.

6.68 When considering RoW, developers are asked to ensure their proposal meets "CBC's Public Rights of Way Standards and Guidance Development." This can be found on the CBC Internet in the RoW section or I can send a copy in a PDF format if required.

- 6.69 The Public Rights of Way Supplementary Supporting Note cannot be used as a substitute for the need for a full set of detailed proposals, (details highlighted below). The submission of the below should be a condition to planning approval.

CBC Ecology Officer

- 6.70 Updated information is welcomed and generally the inclusion of Green Infrastructure across the site in conjunction with buffers to ecologically sensitive areas should ensure that net gains for biodiversity can be secured as part of the proposal.
- 6.71 Buffering and enhancement of Biggleswade Common CWS is welcomed, as is the planning in of Wildlife 'zones' into GI/open space and the inclusion of orchards.
- 6.72 Strong green linkages are apparent north/south, but east/west links are weak. This disrupts connectivity and takes away an opportunity for an excellent GI feature across the site. The corridor needs to be more than street trees in pavements but connected with low level planting and SUDS.
- 6.73 6.17 of the DAS identifies a 'pylon nature park' but the illustrative masterplan shows extensive car parking under the pylons which is unimaginative and sterile. This is referred to in 9.4.8 of the ES Addendum and the contradiction needs to be clarified as claiming car parking will result in semi-natural habitat is nonsense.
- 6.74 Reference to biodiversity net gain is welcomed, supporting enhancement aspirations across the site. However more could be done to demonstrate enhancement opportunities in built structures such as the inclusion of green roofs and swift boxes on higher built elevations. An Ecological Enhancement Strategy is referred to 9.4 and 9.5 of Appendix D1 but this will be needed in greater detail as individual parcels come forward.
- 6.75 Concern over habitat severance at the entry to the site from Baden Powell Way, this north/south corridor has been used by badgers and the cumulative impacts on them from Kings Reach has pushed them to the east of BPW and now they will face the risk of crossing the road here, badger tunnel required under this main road with fencing. Reference is made to such tunnels in the CEMP but it is not clear where these would be located.
- 6.76 A CEMP has been provided which does address ecological risks and adherence to this would be expected.
- 6.77 Given the potential length of time to complete the build of the project advance works are proposed to ensure landscaping has the opportunity to mature and mitigate impacts elsewhere on site whilst individual parcels come forward. A LEMP would be required by condition to ensure sensitive development of these features and appropriate ongoing land management.

CBC SUDS Officer

- 6.78 We consider that outline planning permission could be granted to the proposed development and the final design and maintenance arrangements for the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.
- We will require full drainage drawings showing all connections, control features, storage, inverts etc. and how it communicates with the development wide scheme, for each phase.
 - We will require methods of proposed phasing of development but would expect all required drainage to be operational before plot build.
 - We expect the Environment Agency and Internal Drainage Board to manage the work required on the watercourses, this would include agreeing capacities and flow rates. The IDB would also agree discharge rates on our behalf.
 - Detailed site investigation results (including any site-specific soakage tests and ground water monitoring shown in accordance with BRE 365) will need to be provided with the detailed design. This could be per phase or strategic, either way if it is used for that phase drainage it will need assessing.
 - Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
 - The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
 - To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage, including ditches; 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.
 - Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to an existing watercourse/ditch, 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.

- Agreement for the sewerage undertaker is required to discharge in to a public system. The agreement and rate (l/s) must be included in relevant correspondence.

CBC Archaeology Officer

- 6.79 The amendments relevant to archaeology are an addendum to the Environment Statement (ES) chapter on archaeology and cultural heritage and additional geophysical survey information.
- 6.80 In their initial comments on this application (04/09/2018) the Archaeology Team identified the proposed development site's archaeological potential and the need for additional information on the site's archaeology acquired through an archaeological field evaluation comprising a geophysical survey of the whole site and a programme of trial trenching in line with the requirements of paragraph 189 of the National Planning Policy Framework (NPPF) and the Team's comments on the request for a scoping opinion (CB/18/00509/SCO).
- 6.81 Following the Archaeology Team's initial comments on this application further geophysical survey of the site was commissioned covering those parts of the proposed development site which had not been included in the partially survey of the site submitted with the ES. It is noted in the addendum to the ES (8.3.2) that crop cover has inhibited the geophysical survey and at the time of submission of the amendments to the application the survey it has been completed only for part of the site. It is suggested the survey will be completed by mid-November. The update to the geophysical survey comprises single "grey-scale plot" showing those areas that have been surveyed. There is no description of the results of the additional of the geophysical survey although it would appear to have identified additional, previously unknown, archaeological remains on the north west side of West Sunderland Farm. The application can only be assessed on the basis of the submitted partial geophysical survey of the site.
- 6.82 The addendum to the ES (8.3.2) suggests that the grey scale plots "... can be relied upon to judge the likely significant archaeological effects of the proposed development." On the basis of the baseline information on archaeology presented in the ES (desk-based assessment and partial geophysical survey) and addenda it is concluded that the identified archaeological remains of the site are of local significance (8.5.1) and that "...buried archaeological remains of significance that would warrant preservation in situ are not expected." The impact of the proposed development on archaeological remains is assessed as minor adverse. The major impact of the development on archaeological remains is identified as occurring during groundworks required for construction. It is proposed that this impact can be mitigated through a programme of archaeological investigation, recording analysis and publication secured by a planning condition. It is also proposed to record the remains of the onion shed at West Sunderland Farm.
- 6.83 The additional information submitted on archaeology in the form of further, but still incomplete, geophysical survey results does not amount to sufficient or adequate information on the site's archaeology to allow the impact of the

proposal to be assessed. The level information required comprising a complete geophysical survey and programme of trial trenching, as indicated in the Archaeology Team's previous comments on this application and the scoping opinion has not been supplied by the applicant. Without this level of information, it is not possible to identify the location, extent, character, state of preservation and significance of the site's archaeological resources. Nor is it possible, on the basis of the submitted information to assert that the site does not contain any archaeological remains that are worthy of preservation in situ. In particular, the complex and extensive multi-phased site to the east and south east of West Sunderland Farm, likely to be of later prehistoric and Roman date, has the potential to be of national importance equivalent to a designated heritage asset and thus potentially worthy of preservation in situ (NPPF footnote 63 on page 56). The significance of this archaeological site (and others within the proposed development site) cannot be determined without intrusive trial trench evaluation. The lack of appropriate information on archaeology means that it is also not possible to substantiate the claim that the archaeological remains so far identified are of only local significance and so the impact of the proposed development will only amount to a minor adverse impact. The identified archaeological sites at West Sunderland Farm and the north west corner of the site certainly have the potential to be of regional if not greater significance, in which case the impact of the development would be classified as medium/severe adverse according to Table 14.1 of the Environmental Statement. The lack of an adequate understanding of the character and significance of the site's archaeological resources mean that it is not possible to assess whether archaeological investigation, recording, analysis and publication is an appropriate mitigation strategy. The information on archaeology submitted with the application as part of the Environmental Statement and addenda is not sufficient to identify the character and significance of the archaeological remains and to assess the impact of the proposal on the significance of the heritage assets with archaeological interest. On these grounds, it is contrary to Chapter 16 of the National Planning Policy Framework (NPPF), in particular paragraph 189.

- 6.84 The Environmental Statement indicates that the proposed development site lies within the setting of five Scheduled Monuments (designated heritage assets):
- Galley Hill Hillfort to the north west – HER 445 and NHLE 1015555
 - Sandy Lodge Hillfort to the north west – HER 1164 and NHLE 1015006)
 - John O'Gaunt's Hill Medieval Manor to the north east – HER510 and NHLE 1005043
 - Newton Bury Medieval Moat to the south east– HER 2815 and NHLE 1010113
 - Stratton Park Moat and associated manorial earthworks to the south – HER 520 and NHLE 101261.

- 6.85 The impact of the proposal will be greatest on Newton Bury Medieval Moat which is located in the crest of a ridge to the south east of the application site with clear views from it across the site and to the Monument from within the proposed development site. The setting of the Moat during its period of use in the medieval period would have been an open agricultural landscape comprising a palimpsest of fields, boundaries, woodland villages and individual farms with the town of Biggleswade in the distance. This setting largely survives today, although Biggleswade is a more prominent and indeed dominant feature in the landscape particularly as it has expanded to the east and north east in recent years. The proposed development will move the urban edge of Biggleswade much closer to the Monument having an obvious impact on its rural setting. This impact on the Monument's setting will affect its significance, however, it will still be possible to see, appreciate and understand its rural setting when viewed from Newton Bury Moat and when viewing the Moat from within the proposed development site. Therefore, although the impact of the development on the setting of Newton Bury Moat designated heritage asset which will result in some harm to its significance it does not amount to substantial harm (NPPF paragraph 195). The proposed development will have little or no impact on the setting of the other Scheduled Monuments: Galley Hill, Sandy Lodge, John O'Gaunt's Hill or Stratton Park Moat. Consequently, there is no objection to this application on the grounds of its impact on the setting of Scheduled Monuments and the significance of the designated heritage assets.
- 6.86 The remains of a late 19th century or early 20th century onion drying shed exist at West Sunderland Farm. The building has partially collapsed. The addendum to the ES states that the remains of the building will be subject to a programme of recording prior to its removal. Onion sheds are an important relict of the market gardening industry that dominated the agricultural landscape of the Ivel Valley in the 19th and 20th centuries. Onion sheds are not commonly found outside Bedfordshire and West Sunderland Farm lies at the heart of their distribution. However, given the condition of the structure, a programme of building recording in advance of development provides reasonable mitigation for the loss of the onion shed as a consequence of the development.

Recommendation

- 6.87 The impact of the proposed development on the setting of the five identified Scheduled Monuments (designated heritage assets) does not represent substantial harm to their significance. The loss of the onion shed at West Sunderland Farm represents a total loss of significance of the heritage asset which can, in this case, be satisfactorily mitigated through a programme of building recording. However, the information on archaeological remains and the heritage assets with archaeological interest they represent: a desk-based assessment and partial geophysical survey; is not adequate to identify the significance of the heritage assets with archaeological interest the proposed development is known to contain or locate previously unknown archaeological sites and features. It has been indicated previously that the appropriate level of baseline information on archaeology requires an archaeological field

evaluation comprising a geophysical survey of the complete site and a programme of trial trenching. Without this level of information, it is not possible to describe the character and significance of the archaeological remains the site contains and assess the impact of the proposal on the significance of those remains. The application site contains at least one substantial and complex, multi-phased archaeological site which has the potential to be of sufficient significance to require preservation in situ. Insufficient evidence has been submitted to support the assertion that the archaeological remains within the site are of only local importance and that there will be only a minor adverse impact on heritage assets with archaeological interest as a consequence of the development. Therefore, the Archaeology Team object to this application on the grounds that the application does not contain sufficient information to be able to assess the impact of the proposed development in heritage assets with archaeological interest and so the application is contrary to paragraph 189 of the National Planning Policy Framework.

CBC Public Protection

- 6.88 I have no objections to this outline application in principal but would advise that given the different types of uses you mention with a variety of as yet unmeasurable impacts on amenity these will need guidance and control by condition, as will environmental practices during construction.

CBC Trees Officer

- 6.89 This is an outline application in two phases with the first one consisting of 240 dwellings, access, roads, paths, drainage and landscaping.
- 6.90 The site consists primarily of agricultural land with boundary hedge lines and trees. Supplied with the application is an Arboricultural Impact Assessment and also an Illustrative Masterplan. These detail the proposed layout and position of trees, groups of trees within the site. We would be looking for retention of all A and B category trees along with as many of the C category trees that can be feasibly retained, this will ensure that mature landscape features will remain within the site.
- 6.91 Illustrative Masterplan shows that there is an intention to create a landscape buffer zone to the site boundaries of particular importance are the north and east boundaries overlooking open countryside. Being a two phase development and no real indication of when a second phase would be started if at all I would suggest that a secondary landscape buffer to the east along the edge of phase one would be an option that would ensure that regardless of phase two there would be a landscape buffer to the east.
- 6.92 Any full application will include a detailed Tree Protection Plan and Arboricultural Impact Assessment.
- 6.93 Illustrative Masterplan does indicate that there will be substantial new planting on the development that will increase tree cover on the site and improve potential for biodiversity.

- 6.94 Landscape detail will emphasise the use of native species suitable for the locale and soil type in particular within buffer planting and site boundaries and consist of a combination of standard trees, whip planting and native hedge planting. Planting in more formal areas will ensure that species chosen will be suitable for their location at maturity and take into account canopy size and spread and issues of shade and fruit fall to ensure that the trees are retained and do not require size management to fit their location. Focal points eg access to site and main streets will make use of specimen trees that will be highly visible and create a landscape statement. Landscape management plan will be required.

CBC Sustainability Officer

- 6.95 The proposed development must comply with the requirements of the development management policies: DM1: Renewable Energy; DM2: Sustainable Construction of New Buildings; and Core Strategy policy CS13: Climate Change. Policies DM1 and DM2 have not been acknowledged as relevant in the submitted documents; their requirements are outlined below.
- 6.96 Policy DM1 requires all new development of more than 10 dwellings to meet 10% energy demand from renewable or low carbon sources. The proposed development is above the policy threshold and therefore all dwellings should have 10% of their energy demand sources from renewable or low carbon sources.
- 6.97 Policy DM2 requires all new residential development to meet CfSH Level 3. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations. The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources. In terms of water efficiency, the development should achieve 110 litres per person per day as this is the closest standard to the Level 3 of the CfSH. Requirement for non-residential development over 1000m² is to achieve BREEAM excellent rating.
- 6.98 Policy CS13 requires that all development considers climate change and its impacts on the development. The development therefore should be designed with climate change in mind taking account of increase in rainfall and temperature. Light colour building and landscaping materials should be prioritised over dark coloured which absorb more sun light and retain heat increasing urban heat island effect. The development should minimise hard standing surfaces and increase green, natural areas to allow rainwater infiltration and minimise heat island effect through evaporation and tree shading.
- 6.99 The developer is asked to submit a Sustainability Statement that demonstrates how the requirements of the above policies would be met. The statement should cover:
1. Energy efficiency
 2. Renewable energy contribution

3. Water efficiency
4. Climate change adaptation including overheating and ventilation in dwellings.

CBC Self-Build Officer

- 6.100 The Development Brief acknowledges a need to provide self and custom build dwellings in section 6.5, however I would like the self and custom build to be identified under its own heading as it is our statutory duty under the Self-build and Custom Housebuilding Act 2015 (as amended), to provide this type of housing. The NPPF is also clear that mix of houses must provide a mix that meets local needs, including arising from people who wish to build their homes.
- 6.101 We have commissioned consultants to look at the demand and the draft report (that I can share with you if needed) demonstrates that 10% of dwellings delivered should be self and custom build to meet our demand. It seems that this development will offer more opportunities for custom than self-build dwellings, but I would like to see both type in the mix.
- 6.102 Self-build means provision of serviced plots for buyers to design their home to their own specification, but their design will be expected to reflect any adopted Design Codes. Custom build means dwellings that are delivered by a developer and a customer has an input into a layout and design of a dwelling, but this can be done by offering pre-determined options for layout and design. I believe HTA are familiar with a custom build concept.
- 6.103 Delivery of self/custom build needs to be conditioned or to be set out in s106 agreement.

CBC Education

Land required

- 2 x 2.1ha primary school sites

Total financial contributions required

- Early Years - £1,831,237
- Primary - £12,450,000
- Secondary (middle and upper) - £13,611,593
- Total SEN contribution = £1,956,336

CBC Leisure Officer

- 6.104 A contribution to either the new library or refurbishment/extension of the existing library will be £210,000.

- 6.105 To mitigate the demand generated by the development a contribution of £1,422,673.00 will be sought towards extending and improving facilities at Saxon LC or new facility in the area.
- 6.106 On-site allotments should be provided to ensure residents have good access to facilities close to home.
- 6.107 This development should therefore provide the following football pitches/facilities:
- 6.108 The development should provide a site equivalent of 6-7 full size adult pitches, designed and constructed to Sport England/FA standards;
- 6.109 One or more of these pitches could be substituted by full size 3G pitches with floodlights.
- 6.110 Sports pavilion with 3+ changing rooms, referees changing rooms, social area, kitchen, WC's, disabled WC's etc. to Sport England and FA standards.

CBC Waste Officer

- 6.111 The Council's waste collection pattern for Biggleswade is as follows:
- Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy
- Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.
- 6.112 Please note that there is a contribution to pay for the supply/delivery of the bins. Our current charges for this are:
- Set of food waste bins - £5 +VAT
- 240 - £25 +VAT per bin
- 360 - £35 + VAT per bin
- 660 - £250 + VAT per bin
- 1100 - £350 + VAT per bin
- 6.113 This must be paid prior to discharging the relevant condition. A purchase order must be raised for the quantity of bins required and sent to Waste Services quoting the relevant planning reference number. We will also require a map of the site detailing street names, plot and house numbers.
- 6.114 Wherever possible, refuse collection vehicles will only use adopted highways. If an access road is to be used, it must be to adoptable standards suitable for the refuse vehicle to manoeuvre safely around site (please see vehicle dimensions below). Typically, until roads are adopted or if the RCV is unable to manoeuvre around the site, bins are to be brought to the highway boundary

or a pre-arranged point. If residents are required to pull their bins to the highway, a hard-standing area needs to be provided for at least 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags. However, householders should not be expected to transport waste bins over a distance greater than 25m. Bins must not encroach on or cause a hazard or obstruction to the public highway. Waste vehicles will reverse a maximum of 15m to the point of collection. If there are any parts of the development that are not accessible to the RCV, bin collection points will need to be provided.

6.115 If there are any flats as part of the development the following information applies. Communal waste provision is allocated on the basis of 90l per week per waste stream per property; therefore, we would provide 1100 litre, 660 litre or 360 litre bins to be collected fortnightly. Our waste collection crew will move communal bins a maximum of 10m from the bin store to the waste collection vehicle, providing there are suitable dropped kerbs. We will require confirmation of this prior to ordering any bins for the development.

6.116 Bin stores should be easily accessible from the main highway and it is crucial that the store is secure with a lock to prevent potential fly tipping issues. A lock code will need to be provided to the Central Bedfordshire Waste Services Team. The door used by the collection crews will need to be wide enough to allow for easy removal of bins from the storage area. A dropped kerb will need to be provided to enable easy manoeuvrability, access and egress of the bins. The crew are not expected to move the bins over any undulating, non-paved, uneven surface, or where the gradient is deemed excessive. Lighting within the bin store should be provided so that the bins can be used safely by residents when it is dark.

6.117 On a development of this size, I would look for the developer to provide a bring bank area. This would allow for the residents of this development to have the ability to recycle further materials currently not offered for collection by the Council. This would mainly be in the form of glass waste recycling.

6.118 Please also refer to the Design Guide as the Council will not be able to supply waste collections where the bin and access requirements do not meet our contractual provision, anything else differing to this will be incorporated as a condition. <http://www.centralbedfordshire.gov.uk/planning/design/info.aspx>

CBC Conservation Officer

6.119 No objection.

CBC Community Engagement Manager

6.120 Community facilities are vital in order to underpin the creation of 'social infrastructure'. People need places to meet in a social and informal context, develop networks around common needs such as keep fit, toddler groups, and committee meetings, and to hold events and gatherings both small and large. It is such activities that help to bring people together as cohesive communities. According to the National Planning Policy Framework (2012), "to deliver the social, recreational and cultural facilities and services the

community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.”

- 6.121 Community facilities need to be multi-purpose and flexible to accommodate a vast range of activity. They need to be of different sizes to accommodate a range of activity, from small meeting rooms so that a group can come together to plan activities, to larger rooms and halls to host regular activities and larger events. They need to be both modern but intimate and need to be efficient and ‘cheap’ to run and maintain.
- 6.122 New centres or halls should be located in the neighbourhood centre of a new development to ensure that the majority of local residents live within 800 metres or 5-10 minutes travel time of the facility and ancillary facilities such as parking can be shared.”
- 6.123 For early residents, having to wait years for new facilities to be provided decreases quality of life, impedes the creation of communities and causes frustration. In particular the informal community space should be provided early on say by 10 occupations, this would be in anticipation that new residents would access the Orchard when needing larger facilities for local functions etc.
- 6.124 Social processes form an important part in the wellbeing of a growing community. Gaining the confidence of local residents, welcoming new residents, encouraging them to use and take ownership of the Community facility and enabling them to organise themselves is vital
- 6.125 The new Civil Society Strategy (2018) recognises the contribution of local asset ownership to viable and sustainable communities, we should aspire to achieve this. Whichever body is due to own and govern each building it should be involved at the earliest possible stage – if a new body (e.g. charitable trust) is being created, it should be set up in time to be involved in the early discussions.
- 6.126 Governance can also include community development workers; a ‘community chest’ for funding small scale community projects; working with the community and voluntary sector; working with church and faith groups; providing resources in terms of buildings, computers etc. A Community Development Trust that could be funded by developer contributions may be considered (this has been established elsewhere in Central Beds – Silsoe and soon Shillington).

CBC Public Art Officer

- 6.127 Given the proposed scale of development public art is required to be included in development proposals to enhance public interfaces, reinforce quality in design and highlight sense of place. A Public Art Plan will be required by Condition if the application were to be approved.

CBC MANOP

- 6.128 The plans submitted for Phase One of the scheme which is seeking full planning permission meets the policy requirements above and we would be in support of the development from this perspective.
- 6.129 For Phase Two of the scheme, if the development is acceptable in principle, then we consider that the development should include the following dwellings 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:
- Not less than one hundred and seventy-three (173) Units of Mainstream Housing for Older People.
 - Not less than sixty-eight (68) units of Housing with Support for Older People.
 - Not less than forty-nine (49) units of Housing with Care for Older People.
- 6.130 In addition, consideration should be given to the incorporation of a care or nursing home for older people (C2 use class) in a suitable location. This could potentially be provided in lieu of some of the units set out above.

7.0 Neighbour consultation responses

- 7.1 Local residents were notified of the application by the Council when it was submitted and were notified again when amendments were made to it. Press notices and site notices were displayed.
- 7.2 223 responses were received. 206 of those objected to the application, four were in support of it and 13 passed comment. A summary of the responses received is set of below. Where appropriate, the matters raised have been addressed in the body of this report:

Objections

- Concerns regarding the level of existing infrastructure to deal with increase in house numbers.
- Will have an adverse impact upon the retail park and town centre.
- Will have an irreversible and adverse impact upon the open countryside.
- Existing infrastructure overstretched.
- Will cripple the existing roads, doctors' surgeries and parking facilities.
- No investment in road and rail infrastructure improvement.
- Should focus the revenue on the Kings Reach and existing Town infrastructure.
- Lack of policing to deal with existing Town population.
- The scheme is an overdevelopment for a town that already struggles with its current capacity.
- No new doctors' surgeries and no GP's to take control of the facility.
- There will be no new Middle and Upper schools.
- Increased road and rail traffic.

- There will be a loss of Green Space and Agricultural land.
- Concerns regarding traffic generation on Baden Powell Way with only one main access.
- The same inadequate parking scheme which has seen so much stress caused on the Kings Reach development has been replicated in this application.
- Healthcare, education and leisure facilities promised on the Kings Reach estate have not been delivered, and therefore how can we support a similar scheme.
- Increased pressure on the existing A1 junction which already struggles to cope with the existing traffic generation.
- 5 storey building would be out of character on the agricultural landscape.
- 1500 houses would generate an increase in crime in the town.
- There is no police station within the Town Centre.
- Lack of existing employment opportunities put pressure on people to commute, and roads and railways cannot cope.
- The site is proposed in accordance with Policy SA4, however the Local Plan is subject to examination, and it would be premature to approve the site before the examination.
- Policy SA4 requires a Development Brief to be adopted, this has not happened.
- Pylons remain on site which would detract from the landscape and cause health issues to the residents.
- The change from 3 tier school system to 2 tiers, with the number of houses from this development and kings reach is too much for the existing infrastructure to cope with.
- Health studies show the implications of living under pylons is dangerous.
- The site is Grade 2 agricultural land which is ideal for dog walks and has hundreds of natural habitats, and therefore the scheme would see the loss of a wonderful natural environment.
- Sports pitches proposed on areas where housing cannot be built – poorly thought out layout.
- Houses will not be affordable to the residents of Biggleswade.
- Impact upon the nature reserve.
- Site is proposed on the border of the Flood Zone and therefore development would result in more water run-off and further stress to surrounding areas.
- Ground Water level close to the surface so flooding is highly likely.
- The scheme is reliant on pumps to remove overflowing water with no backup.
- A1 retail park at capacity but not enough shops to support the population.
- Lack of leisure and entertainment opportunities for the existing town.
- The train station car park cannot cope with an increased population.
- Not all of the site falls within the applicant's ownership.
- Biggleswade only has one upper school so the town is stretched. The scheme does not propose a new one.
- Social infrastructure and facilities overcrowded.

- Noise and Air Quality have been impacted as a result of the constant development on the east of Biggleswade.
- Constant development impacting the natural environment.
- The development would rob the wildlife of their habitat.
- The application has not been supported with an Environmental Statement.
- Constructing 1500 new homes would significantly devalue the current house prices in Biggleswade.
- We want to see the social and affordable housing provided for actual Biggleswade residents and not Luton.
- The Green Wheel surrounding Biggleswade will be destroyed.
- There is a lack of public transport, especially to the Train station.
- The site gets regularly flooded.
- The prematurity of the application in relation to the Local Plan is a serious concern.
- The council are soon entering the examination period for the Local Plan, and therefore it is not part of the development plan as of yet.
- The application has been rushed in respect of the timing of the local plan and therefore makes it unsound.
- The evidence base for the site is deficient.
- The site would make the settlement unsustainable.
- The approval of the application would lead to the coalescence between settlements.
- The site is an urban expansion and not a new settlement.
- There is a significant lack of schools at all levels.
- Would like to see internal details of insulation as the houses approved on the Kings Reach estate are not well insulated.
- The development would constitute an overdevelopment of the landscape.
- The Town Centre is already dying because of the retail park, this development will make the situation worse.
- Loss of Green Open space is becoming problematic.
- There is no sustainable transport links, such as cycle paths.
- There has been no attempt to make the houses proposed low carbon
- There is no allocated provision of electric car parking and charging points.
- Concerns regarding the adoption of the roads proposed.
- The commercial aspect of the development would be significantly out of character.
- Detracts from the vibrancy of the Town Centre.
- Would result in a significant loss of a view and outlook onto the open countryside.
- Town is sprawling
- Pressure on the existing water supply and mains
- Environment can't cope with current levels of development
- Education and Leisure facilities can't cope
- Who will be responsible for maintaining green spaces, community buildings, car park security?

- Beach Hut homes out of character
- High rise flats too high and not in keeping with rural area
- No thought for Affordable Housing
- There should be more housing for the elderly
- Valuable farmland disappearing
- Dislike the communal car parking being out of sight
- Encouraging to see a new primary school, but not enough other infrastructure to support the no. of housing
- The scheme would not provide any dentists surgeries.
- Train station not fit for commuter expansion without appropriate car parking
- Increase traffic congestion
- No upper schools for older children – will lead to an oversubscription of middle schools and upper schools existing
- Development is premature of the Local Plan
- Development would see the loss of mature and established trees
- Town already lacks existing transport infrastructure
- Loss of mature habitat for wildlife
- Existing traffic and congestion is a problem
- Significant traffic movements result in increased noise
- Inadequate storm water designs or watercourse modelling provided
- Harm to the open countryside
- Infrastructure needs to be in place prior to more houses
- Merging closer to Dunton and Sutton
- NHS overloaded
- Impact on green land surrounding Biggleswade (Green Wheel?)
- Buildings 7 stories in height would be out of character
- No elderly accommodation and no Affordable housing
- Traffic congestion will worsen in the main town
- In the Green Belt
- Current methods of flood alleviation are dangerous – pools created
- High risk of flooding
- Premature of the Local Plan
- Public service strain increased – Police, Ambulances etc.
- In addition to the east west rail link – increased congestion
- More traffic at the Black Cat roundabout
- Poor Upper school provision
- A ploy to force through site in the Local Plan
- East West rail not to be complete until 2025
- There needs to be a plan in place for implementing and allocating medical facilities.
- The Police service is not sufficient to deal with a growing population.
- There needs to be a clearer Traffic mitigation plan in place if the Council are to approve the scheme.

- The Council need to think carefully about what provision of retail they would support in this location, not enough shops

Support

- Biggleswade need more houses for young families.
- Well Designed Scheme
- It would supply a policy compliant provision of affordable housing which Biggleswade needs.
- The scheme would reinvigorate the community.

8.0 Material Considerations

8.1 The material considerations in the assessment of this planning application are:

1. Whether the principle of the development would be acceptable;
2. Whether the impact of the development of the highways network would be acceptable;
3. Whether the impact of the development on other local infrastructure would be acceptable;
4. Whether the impact of the development on flood risk and drainage would be acceptable;
5. Whether the proposed housing mix would be acceptable;
6. Whether the impact of the development on the character and appearance of the site and the area would be acceptable;
7. Whether the impact of the development on heritage assets would be acceptable;
8. Whether the impact of the development on ecology would be acceptable;
9. Whether the impact of the development on existing residents within the vicinity of the site would be acceptable; and
10. Whether the quality of living accommodation for future occupiers would be acceptable.

8.2 These material considerations are assessed in the following sections of this report.

9.0 Assessment

The principle of the development

9.1 Policy DM4 seeks to protect the Open Countryside by limiting new development to within defined Settlement Envelopes. The proposed

development would conflict with that policy because the site is within the Open Countryside, and not within a Settlement Envelope. This policy conflict should weigh against the approval of the application.

- 9.2 Paragraph 170 of the Framework sets out that planning decisions should recognise the intrinsic character and beauty of the countryside, including the economic and other benefits of the best and most versatile land (BMV). These requirements are consistent with the objectives of Policy DM4. Around 90% of the site consists of Grade 2 and Subgrade 3a land, which are classified as BMV agricultural land. The loss of the site as countryside, albeit with a landscape led scheme, and the loss of a large area of agricultural land, with its associated benefits, which include to the economy, should also weigh against the approval of the application.
- 9.3 Planning applications should be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The dis-benefits associated with the development identified above, including the conflict with a Development Plan policy, can be outweighed, providing that material considerations exist to which sufficient weight should be attached to indicate that such a conclusion should be reached.
- 9.4 The site is allocated for development in the emerging Local Plan 2035 by Policy [SA4](#). That Plan has been consulted upon and submitted to the Secretary of State for examination. It has not yet been examined and this limits the weight that should be attached to policies within the Plan. That said, the site has passed a robust site selection process and has been found suitable for inclusion as a strategic housing allocation by the Council. That allocation closely aligns with the development for which planning permission is now sought.
- 9.5 The inclusion of an allocation for this site in that Plan is a material planning consideration to which weight in favour of the application should be attached. That positive weight should not be overriding given the current status of the Plan.
- 9.6 Significant weight should be attached to the contribution that this development would make towards housing supply in Central Bedfordshire. The delivery of up to 1,500 new homes in a range of tenures, including affordable housing and adjoining a large settlement with a range of services would very meaningfully assist the authority in continuing to meet its housing need into the next Plan period.
- 9.7 The applicant would enter into a Build Rate Timetable planning obligation, which would secure a minimum of 500 new homes within the five-year period from the date of any planning permission. That early, significant injection of delivery to reinforce the Council's housing land supply position should also attach positive weight in favour of the planning application.
- 9.8 Cumulatively, the positive weight that should be attached to the emerging site allocation and the delivery of a substantial quantum of new housing to help meet future need, including a significant contribution to the current five-year

housing supply, would outweigh the dis-benefits associated with the development of the site, including the identified conflict with Policy DM4.

- 9.9 Whilst the Local Plan 2035 is yet to be adopted, the Framework is clear at paragraph 49 that arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
- a. the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b. the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 9.10 That would not be the case here. Granting planning permission for a development at this site and that development commencing would have no material impact on other allocation in the Plan and so the policies contained within the emerging Plan would not be undermined in any way. As such, permission should not be withheld on prematurity grounds.

The impact of the development on the town centre

- 9.11 Planning permission is also sought for a range of non-residential uses at the site, including retail and leisure uses. The application is supported by a Retail Impact Assessment (RIA), that explains that these uses are designed to support the new community that would live at the site.
- 9.12 The RIA demonstrates that a sequential approach has been taken to the selection of this site for those uses (i.e. that it would not be appropriate to locate these uses within, or nearer to a town centre) and that these uses operating from this site would not likely have a detrimental impact on the vitality or viability of Biggleswade or Potton town centres. Planning conditions would limit the total quantum of town centre and leisure floorspace at the site and the maximum size of individual uses so as to help ensure that these uses would be designed to meet day to day needs of residents at the site and would not undermine existing centres.
- 9.13 The proposed non-residential uses would be consistent with Policy DM7 of the Core Strategy and Development Policies and Section 7 of the Framework, which seeks to protect existing town centres and would be acceptable in principle.

Summary

- 9.14 The use of this site for the proposed development would result in a conflict with Policy DM4 and would result in the loss of countryside and high-grade agricultural land. Those dis-benefits would be outweighed by the cumulative weight that should be attached to the emerging site allocation for the site and the evidence base and site selection process that supports that allocation and

the significant contribution that would be made to the housing stock, including in the immediate five-year period. The non-residential uses at the site would, subject to planning conditions, be acceptable and appropriate.

- 9.15 Whether or not planning permission should be granted is dependent on other impacts of the development being found to be acceptable, and whether that would be the case is described in the remainder of this report.

The highways network

The strategic road network

- 9.16 The application is supported by a Transport Assessment. It models the impact of the development on the strategic road network and on junctions leading to the A1.
- 9.17 Highways England lodged a holding objection against the application when it was initially consulted upon it because it felt that the planning application, at that time, was not supported with sufficient information relating to the potential impacts of the development on the strategic highways network. A full Transport Assessment was prepared by the applicant and HE received it in November 2018. An early review led to some requests for further details and clarifications. The applicant has responded to these requests.
- 9.18 Highways England is currently reviewing all of the information provided to it. It is not possible for it, at this stage, to withdraw its holding objection to the application because that review has not been completed.
- 9.19 The review will determine Highways England's position on the way in which potential impacts have been modelled and what mitigation would be required to address those potential impacts. The applicant currently proposes mitigation in the form of amendments to the lanes and the length of flares at both the A1/Hill Lane and A1/London Road roundabout junctions.

The local road network

- 9.20 The Local Highways Authority is satisfied that the Transport Assessment provides a considered assessment of the proposed development from a transport perspective and that the highways impact of this proposal has been assessed with a robust and proportionate modelling approach with sufficient proposed mitigation to make the impact of the scheme acceptable.
- 9.21 The TA identifies that mitigation would be required to the following local junctions to ensure that the transport impacts of the development upon them would be acceptable:
- London Road/Pegasus Drive
 - London Road/Normandy Lane
 - London Road / Saxon Drive / Holme Court Avenue

- 9.22 Detailed designs for these mitigation measures are being worked up by the applicant, in consultation with the Local Highways Authority. A s106 agreement would ensure that they were carried out at an appropriate point during the development.
- 9.23 A contribution of £250,000 would be made available for further local transport enhancements, including within the town centre. This contribution could assist in responding to local aspirations for accessibility improvements identified through the Biggleswade Neighbourhood Plan, which is currently at an early stage of its development.

Sustainable transport

- 9.24 The planning application is supported by a Travel Plan for the development. The Council's Strategic Transport Team is satisfied that subject to some amendments, that would be secured through the s106 agreement, the Plan would promote the use of sustainable transport to an acceptable degree.
- 9.25 In addition to measures included to promote walking and cycling, the s106 would secure contributions that would be used to enhance existing public transport provision in the local area (for example, bolstering the existing bus service that links King's Reach to the town centre and the train station). A total of £225,000 would be secured towards upgrading public transport for the three-year period from the commencement of development.
- 9.26 Once the development was more advanced, and 250 of the new homes were occupied, a sum of £2,240,000 would be made available for implementing a comprehensive Public Transport Strategy, that would be developed in consultation with the Local Highways Authority. This provision would allow for the implementation of a scheme or schemes appropriate at that point in time, having regard to circumstances that may have changed since the development was first implemented.

The site accesses

- 9.27 The main access to the site would be from Baden Powell Way, with a secondary access to the south of it. The design of the accesses would be safe and suitable for the volume and type of traffic that would use them. A planning condition would secure full engineering details of the main access and it would be complete prior to the occupation of any dwellings at the site.

Car and cycle parking

- 9.28 A Design Code for the site and the Central Bedfordshire Design Guide would inform the quantum and location of car (including electric) parking and cycle spaces. These would be submitted and assessed as part of applications for the approval of reserved matters for each phase.

Rights of Way

- 9.29 The site contains a number of rights of way, which connect the site to the wider green infrastructure network, including the Biggleswade Green Wheel.

The Design Code and planning conditions would secure a scheme of enhancement of rights of way within the site to maximise opportunities for walking, cycling and access to the countryside.

- 9.30 Subject to the planning conditions and planning obligations described, the development would be in accordance with policies CS2, CS3, CS4, CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the impact of the development on highways and sustainable transport impacts of the development would be acceptable.

Local infrastructure

- 9.31 The development would mitigate its impacts on existing local infrastructure through planning obligations secured by a s106 agreement. The principle heads of terms are set out below:

Schools

- 9.32 Two serviced primary school sites totalling 4.2ha would be made available for transfer to the Council. A contribution of £12,450,000 towards building the primary schools would be made by the applicant. The timing of payments has been agreed with the Local Education Authority to ensure that new facilities could be delivered at the rights times to meet the needs generated by the development.
- 9.33 A contribution of £1,831,237 would be made towards the provision of early years facilities. The timing of payments has been agreed with the Local Education Authority to ensure that new facilities could be delivered at the rights times to meet the needs generated by the development. These would likely be delivered at the new primary school sites within the development.
- 9.34 A contribution of £13,611,593 would be made towards the provision of secondary school facilities in Biggleswade. The timing of payments has been agreed with the Local Education Authority to ensure that new facilities could be delivered at the rights times to meet the needs generated by the development. The middle school contribution could go towards the expansion of Edward Peake Middle school and/ or Biggleswade Academy with the upper school contribution being put towards the expansion of Stratton. Or, if schools have moved to a 2-tier system by the time the development comes forward, the funding would be used to create additional places for the relevant age range, at whichever schools serve the development at that point in time.
- 9.35 A total of £1,956,336 would be made towards provision of Special Educational Needs facilities (SEN) in Biggleswade. The timing of payments has been agreed with the Local Education Authority to ensure that new facilities could be delivered at the rights times to meet the needs generated by the development.

Health

- 9.36 A contribution of £3,677,000 would be made towards enhancing local health facilities. This contribution, and the timing of the payments has been agreed with the Bedfordshire Clinical Commissioning Group/NHS to ensure that new facilities could be delivered at the right times to meet the needs generated by the development. It is anticipated that this contribution would be directed towards a new Health Hub, potentially at the existing hospital site, which is near to the development.

Community

- 9.37 A minimum of 1,080m² of new community buildings would be provided at the site.
- 9.38 A contribution of £10,500 would be made towards cemeteries and churchyards in the local area.

Rights of Way

- 9.39 A contribution of £36,000 would be made towards the enhancement of off-site rights of way would be made.

Allotments

- 9.40 Allotments with a minimum area of 1.33ha would be constructed at the site.

Leisure

- 9.41 A contribution of £1,422,673 would be made towards improvements to off-site indoor leisure facilities in the local area.
- 9.42 A contribution of £315,000 would be made towards local library services in Biggleswade.
- 9.43 A sports pavilion and at least six sports pitches constructed to Sport England and Football Association standards would be constructed at the site.

Lindsell's Crossing

- 9.44 There is an existing level-crossing on the northwest side of Biggleswade known as Lindsell's Crossing. It provides the existing means of crossing the railway to access the wider countryside leisure routes. Network Rail has set out that it cannot support any application that would import increased risk on to this level crossing and therefore it requires that appropriate proposals are put in place to reduce risk on the level crossing.
- 9.45 There are plans to upgrade that level-crossing to an overbridge across the railway line. In addition to an initial contribution of £100,000 to assist Network Rail in their feasibility and design work associated with upgrading the crossing, the development would meet the full costs of carrying out that work prior to the 250th occupation at the site in the event that alternative funding for some or all of the cost had not been secured by that point in time. Network Rail has confirmed that these arrangements are satisfactory.

Waste

- 9.46 A contribution of £37,452 would be made towards waste services associated with the development.

Summary

- 9.47 The heads of terms set out above have been developed in close consultation with relevant spending officers. They are comprehensive and would be secured at appropriate and acceptable stages throughout the development, with a significant early outlay for the developer.
- 9.48 Subject to the planning obligations described, the development would be in accordance with Policy CS2 Core Strategy and Development Management Policies 2009 and the impact of the development on existing local infrastructure would be acceptable.

Flood risk and drainage

- 9.49 Parts of the site are within Environment Agency Flood Zones 2 and 3. The application is supported by a Flood Risk Assessment. This has been reviewed by the Environment Agency, who are satisfied that subject to planning conditions that would demonstrate that the development would pass the Sequential and, if appropriate, Impact Tests described in the Framework, the impacts of the development on flood risk would be acceptable.
- 9.50 Planning conditions would secure drainage schemes for the phases of the development in line with the requirements of the Internal Drainage Board and the Council's Drainage Engineer.
- 9.51 The Design Code would set out how existing water features at the site would be incorporated into the design of the scheme.
- 9.52 Subject to conditions, the impacts of the development on flood risk and drainage would be acceptable, in accordance with policies CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Housing

- 9.53 Each Phase of the development would be accompanied by a Housing Scheme for that Phase, detailed in the reserved matters application. That Scheme would include details of how that Phase would provide a policy compliant mix of housing, including affordable housing. It would describe how many starter homes, self-build homes and homes for older people would be provided at that Phase and the Scheme would be assessed and approved or refused by the Local Planning Authority, with reference with current planning policy and guidance.
- 9.54 The Design and Access Statement submitted with the planning application and the Development Brief for the site, that has been endorsed for

development management purposes, demonstrate a commitment to deliver a wide choice of homes to meet the needs of Central Bedfordshire.

- 9.55 These measures would ensure that the development delivered an acceptable mix of housing at the site in accordance with policies CS2, CS5, CS7, CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Character and appearance

- 9.56 A development of this scale on what is currently largely undeveloped land in the countryside would inevitably have an impact on the appearance of the site. The application is accompanied by a Landscape and Visual Impact Assessment that seeks to articulate impacts in wider landscape views.
- 9.57 Despite those unavoidable impacts, a landscape led approach has been taken to the layout of the site, in so far as it has been developed at Outline stage and agreed in the approved Development Brief. Around 60% of the site would remain undeveloped. Within the site, landscape buffer areas along the western and southern boundaries would, over time, reduce the visual impact of the development in views back towards the site. The landscaped edges of the site would assist in reducing any sense of coalescence between the town and its neighbouring villages.
- 9.58 The development would include a substantial extension to Biggleswade Common at the north of the site and an extension to the Linear Park that runs along the eastern side of Baden Powell Way. These enhancements would represent significant additions to green infrastructure provision within the vicinity of the site and would increase public access to the countryside.
- 9.59 The contents of any Design Code would be of key importance to the successfulness of landscaping within the site and that, together with planning conditions would help to secure a successful scheme in this regard. Conditions would also seek to protect existing trees of value of the site.
- 9.60 The application is accompanied by an Illustrative Masterplan, which demonstrates that the quantum of development could be accommodated at the site, whilst maintaining large areas of green and open space within in.
- 9.61 The design and quality of buildings and space at the site would be controlled by a Design Code and would be assessed as part of reserved matters submissions. The Design Code would set out how different Character Areas within the site would be designed and laid out and where different types of uses would be located.
- 9.62 It is anticipated that the Design Code would be developed through a Forum, with a range of interested parties involved and able to influence its contents.
- 9.63 The Design and Access Statement and the Development Brief provide comfort that a successful scheme can be achieved and subject to planning conditions, including that which would secure the Design Code, the impact of

the development on the character and appearance of the area would be acceptable.

- 9.64 The Central Bedfordshire Design Guide 2014 is a material consideration against which future applications for the approval of Reserved Matters would also be assessed.
- 9.65 A planning condition would secure details of phasing to ensure that the way in which the development was built out was appropriate and acceptable.
- 9.66 Subject to a Design Code and other necessary planning conditions, the character and appearance of the development would be acceptable, in accordance with policies CS14, CS16, CS17, DM3, DM14 and DM16 of the Central Bedfordshire Council Core Strategy and Development Management Policies 2009.

Heritage

- 9.67 There is no built heritage at the site and no objections have been raised by Historic England or the Council's Conservation Officer.
- 9.68 The Council's Archaeology Officer is concerned that a comprehensive assessment of archaeology at the whole site should be carried out prior to planning permission being granted and prior to the commencement of any development. That concern is noted, but a planning condition that prevented development commencing at any Phase before details of a full evaluation and details of necessary mitigation for that Phase, would, on balance, secure a satisfactory outcome.
- 9.69 Subject to conditions, the impact of the development on heritage assets would be acceptable in accordance with policies CS15 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Ecology

- 9.70 The planning application is supported by ecological surveys of the site. The Council's Ecology Officer is satisfied that subject to biodiversity being addressed by a Design Code, and other planning conditions being imposed, the site could deliver a net-gain in biodiversity and ensure that exiting species are properly protected.
- 9.71 Subject to conditions, the impact of the development on biodiversity and ecology would be acceptable in accordance with policies CS18 and DM15 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Neighbours

- 9.72 The nearest neighbours to the site are at West Sunderland Farm Cottages and Sunderland Hall Farm to the east. Existing residents at the King's Reach Development would also be reasonably near to the site.

- 9.73 The planning application is supported by technical report relating to the potential noise, air quality and light implications of the development on neighbours and they confirm that subject to controls, those impacts would be acceptable. The Council's Public Protection Team agrees with those conclusions.
- 9.74 The detailed design of the site would need to carefully consider the relationship between the development and existing neighbours. The Design Code should address how those relationships would be managed.
- 9.75 Construction, which could impact upon those further afield than those directly adjacent to the site, would also be controlled by a planning condition, to seek to mitigate its impacts, whilst acknowledging that a level of disruption is an inevitable consequence of a development of this scale.
- 9.76 Subject to conditions and subsequent reserved matters submissions, the impacts of the development on existing neighbours of the site would be acceptable, in accordance with policies CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Quality of accommodation

- 9.77 A Design Code and reliance upon the Council's Design Guide, where appropriate, would help secure a high quality of living accommodation for future occupiers. The applicant has been keen to highlight that the delivery of a very high-quality living environment is a key focus for them.
- 9.78 The Council would assess the standard of accommodation provided when reserved matters submissions are made.
- 9.79 Planning conditions would seek to minimise noise and odour that might result from commercial uses at the site.
- 9.80 A planning obligation would secure details of high-speed broadband for homes at the site. This could facilitate increased home working and reduce reliance on commuting.
- 9.81 Planning obligations would secure the provision of shops, a public house and a range of community and leisure facilities that would enhance the overall quality of the development for future occupiers.
- 9.82 Planning conditions would ensure that new buildings were constructed to appropriate sustainability standards and that fire safety was properly considered in the design of the site.
- 9.83 Subject to planning conditions and planning obligations, the quality of the accommodation provided for future occupiers would be acceptable, in accordance with policies CS14, DM1, DM2 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.

Other matters

Human Rights

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

Equality Act 2010

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

10.0 The Planning Balance and Conclusions

- 10.1 The development would result in a conflict with Policy DM4 because the site is not within a Settlement Envelope and would result in the loss of an area of countryside and agricultural land. These factors weigh against the development in the planning balance.
- 10.2 However, the site has been allocated for this scale and type of development in the emerging Local Plan and would result in a substantial contribution towards local housing delivery, including in the immediate five-year period, which would help to bolster the Council's housing land supply.
- 10.3 Whilst in Outline, the parameter plans show that this would be a landscape led development. The Illustrative Masterplan, Design and Access Statement and Development Brief provide comfort to the Local Planning Authority that a high-quality development could be secured at the site.
- 10.4 This would be secured through, amongst other planning conditions, a Design Code. This, together with appropriate reference to other planning policies and guidance, including the Council's Design Guide, will inform how reserved matters applications for phases of the development will be designed and assessed by the Local Planning Authority. The planning permission would be robust and would have in place mechanisms for the Council to secure a high-quality development at the site.
- 10.5 Impacts on existing local infrastructure would be mitigated through a comprehensive set of planning obligations. Conditions and/or planning obligations deemed necessary by Highways England to mitigate the impacts of the development on the strategic highways network would be imposed.
- 10.6 Subject to planning conditions, all other material issues would be satisfactorily addressed and so planning permission should be granted subject to planning conditions and planning obligations, once the Highways England holding objection has been lifted.
- 10.7 These conclusions have been reached having examined the environmental information submitted with the Environmental Statement and addendum that accompanied the planning application. For the reasons set out in this report, no significant effects on the environment have been identified that cannot be mitigated or are not outweighed by benefits associated with the development.

It is not considered necessary to impose monitoring measures. As such, the Local Planning Authority has satisfied its obligations under paragraph 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

11.0 Recommendation

11.1 It is recommended that:

Development Management Committee supports the outline planning application subject to withdrawal of the Highways England holding objection, the conditions set out at Appendix 1 and the satisfactory completion of a legal agreement securing the obligations described in this report and thereafter authorises the Assistant Director – Development Infrastructure in consultation with the Chairman, Vice-Chairman, Executive Member for Regeneration and Business and relevant Ward Members to grant outline planning permission providing that no new material changes to the planning application arise as a result of the measures proposed to mitigate the impacts of the development on the strategic highways network.

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 National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

DECISION

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CB/18/02458/OUT - Appendix 1

SCHEDULE OF RECOMMENDED CONDITIONS AND INFORMATIVES

Time limits and approved plans	
1	<p><u>Time limits</u> Details of the access, appearance, landscaping, layout and scale (hereinafter called the reserved matters) relevant to a phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development begins at that phase and the development shall be carried out as approved.</p> <p>(a) An application for the approval of reserved matters for the first phase of the development must be made to the Local Planning Authority no later than the expiration of three years beginning with the date of the grant of this outline permission; and</p> <p>(b) the development to which this permission relates must be begun no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.</p> <p>Reason: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.</p>
2	<p><u>Approved plans</u> The development shall be carried out strictly in accordance with the following plans: UKR-EBM_HTA-A_DR_0010-Site Location Plan-C, UKR-EBM_HTA-A_DR_DO_PP02, UKR-EBM_HTA-A_DR_DO_PP03, UKR-EBM_HTA-A_DR_DO_PP04, UKR-EBM_HTA-A_DR_DO_PP05, UKR-EBM_HTA-A_DR_DO_PP06, UKR-EBM_HTA-A_DR_DO_PP07</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
Phasing and Design Coding	
3	<p><u>Phasing</u> Prior to the submission of the first application for the approval of reserved matters at the site, a Phasing Plan for the development encompassing the whole of the application site shall be submitted to and approved in writing by the Local Planning Authority. All applications for the approval of reserved matters shall correlate directly with a phase or phases shown on the approved Phasing Plan.</p> <p>Reason: To ensure that the site is developed in appropriate and acceptable phases with required infrastructure and facilities available at the appropriate times.</p>

4

Design Code

Prior to the submission of the first application for the approval of Reserved Matters at the site, a Design Code shall be submitted to and approved in writing by the Local Planning Authority.

The Design Code shall include a Character Area Plan for the development encompassing the whole of the application site. The Design Code shall include details of the following in respect of each Character Area:

Housing

- a. Minimum and maximum residential densities
- b. Maximum eaves and ridge heights
- c. Minimum internal space standards for habitable rooms and total dwellings
- d. Minimum private amenity space width and depths
- e. The design approach to waste and recycling storage and collection facilities
- f. A palette of materials to be used in the construction of external surfaces
- g. A palette of architectural features to be incorporated into the design of buildings
- h. Minimum separation distances between dwellings
- i. A palette of means of enclosure
- j. The location of and minimum amounts of play spaces
- k. A palette of play equipment to be provided within play spaces
- l. How affordable housing will be dispersed throughout the Character Area
- m. Typical street scenes

Non-residential floorspace

- n. The location of and minimum and maximum amounts of non-residential floorspace
- o. The design approach to waste and recycling storage and collection facilities
- p. A palette of materials to be used in the construction of external surfaces
- q. A palette of architectural features to be incorporated into the design of buildings
- r. A palette of means of enclosure

The natural environment and leisure

- s. The location of and minimum amounts of landscaped areas within and between development parcels
- t. A palette of grasses, plants, flowers and trees to be used in landscaped areas at the site
- u. Examples of how existing and proposed water features at the site will be incorporated into the development
- v. The broad location of and general approach to biodiversity enhancement
- w. The landscape design approach to the Biggleswade Common Extension, the Linear Park Extension and landscape buffers around the site, where relevant to that Character Area

	<p>x. The location and minimum amounts of allotments at the site, together with their design and servicing arrangements and associated facilities, where relevant to that Character Area</p> <p>y. The location of and design approach to LAPs and LEAPs</p> <p>z. The location and minimum amounts of sports pitches, together with their design, details of drainage and servicing arrangements and associated facilities, where relevant to that Character Area</p> <p><i>Movement and access</i></p> <p>aa. A hierarchy of streets</p> <p>bb. Sections through typical streets</p> <p>cc. A palette of materials to be used in the construction of roads, cycleways and footpaths</p> <p>dd. A palette of typical street furniture</p> <p>ee. Minimum car and cycle parking numbers, including electric charging points</p> <p>ff. Minimum internal space standards for garages and carports</p> <p>gg. The location of and typical details of foot and cycle paths</p> <p><i>Compliance with the Environmental Statement</i></p> <p>hh. How development within each Character Area would confirm to the impacts tested by the ES.</p> <p>All subsequent applications for the approval of Reserved Matters shall be in strict conformity with the approved Design Code.</p> <p>Reason: To ensure that the quality of the development would be acceptable, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the Central Bedfordshire Design Guide 2014.</p>
Amount of development	
5	<p>No more than 1,500 dwellings shall be constructed at the site</p> <p>Reason: To ensure that the development is compatible with the planning permission.</p>
6	<p>No more than 3,200 sqm (GIA) of retail and leisure uses (Class A1-5 and D2 shall be constructed at the site. Within this maximum of 3,200 sqm: Class A1 convenience retail floorspace shall not exceed 1,000 sqm (GIA); Class A1 comparison retail floorspace shall not exceed 500 sqm (GIA); Class A1 non-retail, Class A2-5 and Class D2 uses shall not exceed 1,500 sqm (GIA). No single unit shall exceed 500 sqm (gross floor area).</p> <p>Reason: To ensure that the development would not cause harm to the vitality or viability of existing town centres in accordance with Policy DM7 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.</p>

Pre-commencement (whole site)	
7	<p><u>Archaeology</u></p> <p>No development shall commence at the site before a written scheme of investigation for an archaeological trial trench evaluation of the whole site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full in so far as it relates to any phase of development prior to the commencement of the development at that phase. A report that complies with the agreed parameters in the approved written scheme shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that impacts of the development on heritage assets are properly managed. 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 <i>National Planning Policy Framework</i> (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).</p> <p>This is a pre-commencement condition because measures to preserve and/or record archaeological heritage assets should be in place prior to development starting at the site.</p>
8	<p><u>Flood risk and drainage</u></p> <p>No development shall commence at the site before a Scheme to identify, mitigate and reduce flood risk on and off the site has been submitted to, and approved in writing by, the Local Planning Authority (LPA). This scheme shall:</p> <ul style="list-style-type: none"> • Include a detailed assessment of the site's flood risk, from all sources. <ul style="list-style-type: none"> - This shall include the completion of a site-specific fluvial flood model for all watercourses within the development site. - The model shall cover a sufficient area so that the impacts of the proposed development upstream and downstream can be identified. - The model shall be submitted to and approved by the Environment Agency for inclusion into the Flood Map for Planning (rivers and sea). - A model report shall be submitted to support the model. This shall demonstrate how the model was built and provide guidance on the level of uncertainty within the model and how this uncertainty needs to be managed in the detailed design of the development. - The model shall provide information on a range of scenarios for both the pre- and post-development site, the present day and future flows, and actual and residual risks. • Demonstrate that no built development will be constructed within the functional floodplain. The area defined as functional floodplain shall be agreed by the LPA, in consultation with the Environment Agency. The defined functional floodplain can take into account appropriate mitigation measures such as removing channel constrictions, bypass channels and floodplain compensation. The appropriateness of the

	<p>mitigations measures is to be determine by the LPA in consultation with the Environment Agency and the Internal Drainage Board (IDB).</p> <ul style="list-style-type: none"> • Demonstrate that a sequential approach has been taken to the layout of the development. More and highly vulnerable development shall be avoided within the 1% annual exceedance probability (AEP) floodplain, including a suitable allowance for climate change. • Include a clear plan for phasing of the development to ensure that the mitigation measures are in place prior to any development within the current floodplain. • Demonstrate that all impacts of the proposed development can be mitigated for in a sustainable way. This includes any loss of floodplain storage and a decrease in the response time of the watercourses to rainfall events. • Provide measures to reduce the overall flood risk on and off the site. This can include, but should not be limited to, the provision of increased floodplain storage, reduced surface water run off rate and volumes, reduced flows within the watercourse, wetland creations and upstream storage. <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because flood risk and drainage issues must be resolved prior to the construction of any dwellings. .</p>
9	<p><u>Drainage Strategy</u></p> <p>No development shall commence at the site before a detailed Surface Water Drainage Scheme for the site, to manage surface water run-off from the development for up to and including the 1 in 100-year event (+40%CC) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The discharge rate from the development shall be limited to an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed drainage Strategy (Part 4 of the Environmental Statement Addendum (including appendix C1) by PBA Nov 2018) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2018) and shall be implemented and maintained as approved.</p> <p>The development shall be carried out in accordance with the approved Surface Water Drainage Scheme.</p> <p>Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with Policy DM3 of the</p>

	<p>Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because a suitable surface water drainage scheme must be agreed prior to the construction of any dwellings.</p>
10	<p><i>Noise</i></p> <p>No development shall commence at the site before a Noise Receptor Plan Identifying Phases of the development where the following could be relevant has been submitted to and approved in writing by the Local Planning Authority:</p> <p>a) noise from road traffic and farm noise deriving from 'Smiths Land', West Sunderland Cottages, Sunderland Hall Farm, or other agri-industrial sources</p> <p>b) traffic noise associated with the development effecting existing dwellings at Smiths Land and/or West Sunderland Cottages</p> <p>Reason: To ensure that the impact of noise associated with the development is properly identified, understood and mitigated in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because the way in which the site is designed will need to have regard to potential noise related constraints.</p>
11	<p><i>Contamination</i></p> <p>No development shall commence at the site before a Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority.</p> <p>No building shall be occupied at the site before the following has been submitted to and approved in writing by the Local Planning Authority:</p> <p>Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.</p> <p>Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.</p>

	<p>Any such remediation/validation should include responses to any unexpected contamination discovered during works.</p> <p>Reason: To protect human health and the environment in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies Document (2009).</p> <p>This is a pre-commencement condition because the way in which the site is designed will need to have regard to land quality constraints.</p>
12	<p><u>Rights of Way</u></p> <p>No development shall commence at the site before a Public Rights of Way Scheme has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include:</p> <ul style="list-style-type: none"> • the location and type of existing and proposed rights of way at the site • the design of the access to the site (including details of width, surfacing, boundary features, public safety features, bridges / culverts / fencing etc., and landscaping) • proposals for the diversion of any public rights of way where necessary • details of where and when temporary closures and alternative route provision of any existing public right of way during construction or advance works would be required <p>The development shall be carried out in accordance with the approved Public Rights of Way Scheme.</p> <p>Reason: To ensure that the development properly incorporates and where appropriate enhances the local public rights of way network, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because the way in which the site is designed will need to respond to existing and proposed public rights of way at the site.</p>
13	<p><u>Access</u></p> <p>No development shall commence at the site before full engineering details of the main access to the site have been submitted to and approved in writing by the Local Planning Authority. The access shall be completed in accordance with the approved details prior to the occupation of any dwelling or first use of any non-residential building at the site.</p> <p>Reason: To ensure that the access to the site is safe and suitable and provided at an appropriate stage of the development in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development</p>

	<p>Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p> <p>This is a pre-commencement condition because the details of an acceptable access to the site will need to have been agreed prior to housing being built at the site..</p>
<p>Phases</p>	
<p>14</p>	<p><u>Tree protection</u></p> <p>No development shall commence at a Phase of the development before an Arboricultural Impact Assessment and a Tree Protection Plan for that phase has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development of that phase shall be carried out in accordance with the approved Arboricultural Impact Assessment and Tree Protection Plan.</p> <p>Reason: To ensure that existing trees at the site are properly protected during and post construction in accordance with policies DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
<p>15</p>	<p><u>Archaeology</u></p> <p>No development shall commence at any phase of the development, including advanced infrastructure works before a written scheme of heritage asset resource management (SHARM) for that phase, which uses the results of trial trench evaluation as its basis, has been submitted to and approved in writing by the Local Planning Authority. The scheme of heritage asset resource management for each phase shall contain the following information:</p> <ul style="list-style-type: none"> • A method statement for the investigation of any archaeological remains present at the site that cannot be preserved <i>in situ</i>; • A method statement for the preservation <i>in situ</i> of any archaeological remains that can be protected within the development; • A programme of interpretation, public outreach and community engagement • An outline strategy for post-excavation assessment, analysis and publication; • A timetable for each stage of the archaeological works. <p>The development of each phase including advanced infrastructure works shall only implemented in full accordance with the approved scheme of heritage asset resource management.</p> <p>For each phase of the development, including advanced infrastructure works, the archaeological post-excavation assessment and an Updated Project Design shall be completed no later than 1 year after the completion of archaeological fieldwork. The Updated Project Design(s) shall follow the parameters set out in the outline strategy for post-excavation assessment, analysis and publication as agreed in the approved written scheme(s) of</p>

	<p>heritage asset resource management The Updated Project Design(s) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>For each phase of the development, including advanced infrastructure works, the archaeological post-excavation analysis (as specified in the approved Updated Project Design), the preparation of the site archive for deposition with a store approved by the Local Planning Authority, the completion of the archive report and the submission of the publication report to the Local Planning Authority will be undertaken within three years of the approval of the Updated Project Design.</p> <p>Reason: To ensure that archaeological heritage assets are properly understood and protected in accordance with policies DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
16	<p>No development shall commence at a Phase of development that includes the Onion Drying Shed at West Sunderland Farm Cottages before a Written Scheme of Building Recording for that building has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Written Scheme of Building Recording.</p> <p>Reason: To ensure that archaeological heritage assets are properly understood and protected in accordance with policies DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
17	<p><u>Surface Water Drainage</u></p> <p>No building/dwelling shall be occupied at a phase of the development before a Maintenance and Management Plan for the approved Surface Water Drainage Scheme for that phase that includes adoption arrangements and/or private ownership or responsibilities together with confirmation that the Scheme has been fully and correctly installed at the site has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the approved Maintenance and Management Plan.</p> <p>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, Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
18	<p><u>Storm water construction and design details (IDB)</u></p> <p>No development shall commence at any Phase of Development before details of storm water design and construction for that Phase have been submitted to</p>

	<p>and approved in writing by the Local Planning Authority in consultation with the Internal Drainage Board. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that storm water is properly managed at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
19	<p><u>LEMP</u> No development shall commence at any Phase of the development before a Landscape and Ecological Management Plan (LEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The LEMP for each Phase of the development shall include:</p> <ul style="list-style-type: none"> a) a description and evaluation of features to be managed. b) ecological trends and constraints on site that might influence management. c) aims and objectives of management. d) appropriate management options for achieving aims and objectives. e) prescriptions for management actions. f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period). g) details of the body or organization responsible for implementation of the plan. h) ongoing monitoring and remedial measures. i) details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery j) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the biodiversity objectives of the Scheme where the results from monitoring show that conservation aims and objectives of the LEMP are not being met. <p>Each Phase of the development shall be carried out in accordance with the approved Plan.</p> <p>Reason: To ensure that the landscape and the treatment of biodiversity at the site would be acceptable in accordance with policies DM14, DM15 , DM16 and DM17 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
20	<p><u>Noise</u> No development shall commence at any Phase of the development identified as being relevant by the approved Noise Receptor Plan before a Scheme to mitigate noise at identified receptors has been submitted to and approved in writing by the Local Planning Authority. The Schemes shall include details of</p>

	<p>any noise barriers, building insulation, other necessary mitigation and a ventilation strategy for the proposed dwellings together with a timetable for the completion of the Scheme.</p> <p>The development shall be carried out in accordance with the approved Schemes and the approved timetables.</p> <p>Reason: To protect the amenity of existing residential occupiers and future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
21	<p>No development shall commence at any Phase of the development identified as being relevant by the approved Noise Receptor Plan before details of a Ventilation Scheme for dwellings in that Phase has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The Scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in the Building Regulations Approved Document F. The Scheme shall ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for road noise.</p> <p>Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
22	<p>No development shall commence at any Phase of the development where a non-residential use is proposed before a Scheme that assesses and mitigates noise at source and/or receptor from all PA or music equipment, plant or ancillary machinery including fans and ducting and external openings has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Mitigation measures set out in the approved Scheme shall be completed before the first use of the non-residential building to which the mitigation relates and shall be permanently retained thereafter.</p> <p>Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
23	<p>No development shall commence at any Phase of the development where a non-residential use is proposed before a Scheme of Opening Hours for non-residential uses within that Phase has been submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The Scheme shall set out when non-residential uses shall open and close on each day of the week.</p> <p>The development shall be carried out in accordance with the approved Schemes.</p> <p>Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
24	<p><u>Light</u></p> <p>No development shall commence at any Phase of the development before a Lighting Design Scheme and Impact Assessment for that Phase of development has been submitted to and approved in writing by the Local Planning Authority. The Scheme and Impact Assessment shall identify and set out measures to eliminate or minimise to an acceptable degree any detrimental effect caused by light from the development on existing and proposed dwellings. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards and shall include a timetable for the completion of necessary mitigation.</p> <p>The development shall be carried out in accordance with the approved Scheme and the approved mitigation measures shall be permanently retained thereafter.</p> <p>Reason: To protect existing and future occupiers from light pollution associated with the development in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
25	<p><u>Odour</u></p> <p>No development shall commence at any Phase of the development where non-residential uses falling within Use Classes A3, A4 or A5 are proposed before an Odour Control Scheme for that Phase has been submitted and approved in writing by the Local Planning Authority, The Scheme shall detail how odour associated with cooking and food preparation will be mitigated and shall include a timetable for the completion of any identified mitigation measures.</p> <p>The development shall be carried out in accordance with the approved Scheme and the approved mitigation measures shall be permanently retained thereafter.</p> <p>Reason: to protect the future neighbouring occupiers from odour in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
26	<p><u>CEMP</u></p> <p>No development shall commence at a Phase of the development before a</p>

Construction Environmental Management Plan (CEMP) for that Phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP for each phase shall include:

- a) Proposed earthworks including method statement for the stripping of topsoil for reuse, the raising of land levels (if required) and arrangements for the temporary topsoil storage to BS3882:2007;
- b) A detailed method statement for the removal or long-term management / eradication of any Japanese knotweed on the relevant parts of the site – to include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981;
- c) Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- d) Details of haul routes within the relevant parts of the site;
- e) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractors compound during the construction period to be agreed on a phased basis;
- f) Collection and Delivery times for construction purposes will occur only between 0800 - 1800 Mon-Fri, 0800 - 1300 Saturday and not at all on Sundays and Public Holidays);
- g) Dust management, water sources and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction / engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant / equipment;
- h) Noise and vibration (including piling) impact / prediction assessment, , monitoring and recording protocols / statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of practice for noise and vibration control on construction and open site – Part 1 and 2 (or as superseded);
- i) Liaison, consultation and publicity arrangements, including dedicated points of contact;
- j) Complaints procedures, including complaints response procedures;
- k) Membership of the considerate contractors' scheme and
- l) Piling method statement detailing mitigation measures, where piling is proposed.

Reason: to ensure that construction at the site is carried out in acceptable fashion in the interests of living conditions of existing and future occupiers in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.

27	<p><u>Public Art</u></p> <p>No development shall commence at any Phase of the development before a Public Art Scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. Each Scheme shall include details of:</p> <ul style="list-style-type: none"> • Management - who will administer, time and contact details, time scales / programme • Brief for involvement of artists, site context, background to development, suitable themes and opportunities for Public Art • Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists • Community engagement - programme and events • Funding - budgets and administration. • Future care and maintenance. <p>The development shall be carried out in accordance with each approved Public Art Scheme.</p> <p>Reason: To ensure that the quality and appearance of the development would be acceptable for future occupiers in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 and the aims and objectives of the National Planning Policy Framework 2018.</p>
28	<p><u>Sustainability</u></p> <p>No development shall commence at any phase of the development before a Sustainability Statement relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The Sustainability Statement shall include details of how the development will meet at least 10% of its energy demand from renewable or low carbon sources and the development shall be carried out in accordance with the approved Statements.</p> <p>Reason: To ensure that opportunities for the use of renewable and low carbon energy sources is maximised in accordance with policies DM1 and DM2 of the Central Bedfordshire Core Strategy and Development Management Policies 2009.</p>
29	<p>No development shall commence at any phase of the development, including any works of demolition, until a Construction Traffic Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:</p> <ul style="list-style-type: none"> • The parking of vehicles • Loading and unloading of plant and materials used in the development • Storage of plant and materials used in the development • The erection and maintenance of security hoarding / scaffolding affecting the highway if required. • Wheel washing facilities

	<ul style="list-style-type: none"> • Measures on site to control the deposition of dirt / mud on surrounding roads during the development. • Footpath/footway/cycleway or road closures needed during the development period • Traffic management needed during the development period. • 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. <p>The development shall be carried out in accordance with the approved Plan relevant to that phase.</p> <p>Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009, the Central Bedfordshire Design Guide 2014 and the aims and objectives of the National Planning Policy Framework 2018.</p>
30	<p>No development shall commence at any phase of the site before a Fire Safety Plan for that phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with Bedfordshire Fire and Rescue. The Plan shall include details of fire safety measures, including the location of fire hydrants and the development shall be carried out in accordance with the approved Plan.</p> <p>Reason: To ensure that fire safety at the site would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies 2009, the Central Bedfordshire Design Guide 2014 and the aims and objectives of the National Planning Policy Framework 2018.</p>

INFORMATIVES

Rights of Way

1. The applicant is advised to ensure that the definitive legal line of any public right of way is mapped at the earliest opportunity and that no development should take place on or near a public right of way unless the necessary statutory legal process has been completed in accordance with one of:-
 - a. An order made, confirmed and certified under the provisions of Section 257 of the Town and Country Planning Act 1990
 - b. An order made, confirmed and certified under the provisions of the Highways Act 1980
 - c. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

Diversions to Rights of Way under the TCPA typically take 4-6 months. If applied for later under the highways act they can take 18 months. TTRO's must be applied for at least 12 weeks prior to the desired commencement of the closure

Contamination

2. The site is located above a Principal Aquifer. However, we do not consider this proposal to be High Risk. Therefore, we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination, which can be found here: <https://www.gov.uk/government/publications/managing-and-reducing-land-contamination>

Infiltration Sustainable Drainage Systems (SuDS)

3. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. If the use of deep bore soakaways is proposed, we would wish to be re-consulted. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination.

Pollution Prevention

4. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be

located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

5. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.
6. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings susceptible to oil contamination shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
7. Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.
8. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to surface waters or groundwater.

Highways

9. The applicant is advised that in order to comply with conditions attached to this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. 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. 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.
10. The applicant is advised that all car parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Design Guide 2014.
11. 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".

12. The detailed design of phases of the development should show roads visibility splays at all internal 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.
13. The detailed design of phases of the development should show roads (with a 20mph design speed) and footpaths laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them.

Design Coding

14. The applicant is advised that the Local Planning Authority expects that the Design Code that is the subject of condition 5 attached to this planning permission will be developed collaboratively through a Design Code Forum. That Forum should consist of members of the applicant/developer project team together with relevant Council officers and Members and representatives from relevant external bodies. No Design Code should be submitted for approval by the Local Planning Authority before the Design Code Forum has formally endorsed that document.

Item No. 7

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

Recommendation:

That Planning Permission be refused for the following reasons:

By reason of the access, and the scale of the development, the development would unacceptably harm the amenity of residents within Tithe Farm Close, and specifically No.14 Tithe Farm Close. Therefore the proposed development is contrary to Policies CS14 and DM3 of the adopted Local Plan and the NPPF.

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Item No. 8

APPLICATION NUMBER	CB/18/03694/OUT
LOCATION	Land at Ivel Road Shefford
PROPOSAL	Outline planning application with all matters reserved (Except for means of access from Ivel road) for up to 90 residential dwellings, new internal access roads and footpaths, open space, sustainable urban drainage system and associated landscaping, infrastructure and earthworks.
PARISH	Shefford
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Nicola Darcy
DATE REGISTERED	11 October 2018
EXPIRY DATE	10 January 2019
APPLICANT	Catesby Estates plc
AGENT	Savills (UK) Ltd
REASON FOR COMMITTEE TO DETERMINE	1. Departure from Development Plan 2. Major application with Town Council objection
RECOMMENDED DECISION	Outline Application - For approval subject to a S106 agreement

Recommendation:

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

RECOMMENDED CONDITIONS

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

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

- 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.

This condition is pre-commencement as the reserved matters are required to be considered and determined prior to commencement of any development.

- 3 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 is a pre-commencement condition to ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 4 No development shall take place until a written scheme of archaeological resource management (SARM) has been submitted to and approved in writing by the Local Planning Authority. The SARM shall include: method statement for archaeological investigation and recording of archaeological remains present at the site; provision for preservation *in situ* (where appropriate); provision for programme of community engagement; provision for post excavation analysis and publication. 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 all of the archaeological work; including post excavation analysis, the publication of the results of the fieldwork and the deposition of the

archive with a store approved by the Local Planning Authority has been completed.

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).

- 5 The number of dwellings approved on the site shall be restricted to 90 as shown on the revised site layout plan no. 1002 Rev C.

Reason: To ensure that adequate provision of housing is provided.

- 6 **No development shall take place, including any works of demolition, until a Construction Traffic 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) Loading and unloading of plant and materials used in the development**
 - (B) Storage of plant and materials used in the development**
 - (C) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
 - (D) Wheel washing facilities**
 - (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.**

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

Reason : In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

This condition is pre-commencement as it requires consideration of the impact on the highway network and highway safety prior to any development taking place.

- 7 Within the submission of any reserved matters planning application, the layout of the development shall be designed to provide a provide a pedestrian and cycle access up to the boundary of the application site and Harvest Rise.

Reason: To ensure that adequate accesses are brought forward and delivered at reserved matters stage in the interests of encouraging sustainable modes of transport. (Section 9, NPPF)

- 8 Within the submission of any reserved matters planning application, proposed dwellings shall be located not less than 15m from the south eastern boundary of the site and land between the boundary edge and residential curtilages shall be landscaped with native species and semi-mature trees.

Reason: To ensure that adequate landscaping is provided to screen the development from the A507. (Section 12 NPPF)

- 9 No building shall be occupied until the junction of the proposed vehicular access (drg no.19308-02 Rev G) with the highway has been constructed in accordance with the approved details. The raised table as shown on drg 19308-02 Rev E shall also be provided as a speed reduction measure.

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

- 10 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 59m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

- 11 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.

- 12 Visibility splays shall be provided at all internal 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.

- 13 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate independent vehicular turning head area(s) for an 11.5m refuse collection vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 14 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

- 15 No building shall be occupied until Traffic Regulation Orders on both sides of Ivel Road and the development junction for the provision of No Parking restrictions have been implemented. Furthermore, speed limit reductions on the A507/Ivel Road/Shefford Road roundabout approach roads restrictions to 40mph and a 30mph speed limit on Ivel Road from the existing 20mph speed limit to the A507/Ivel Road/Shefford Road roundabout have been implemented.

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

- 16 Within the submission of any reserved matters planning application, details of areas for play in the forms of LEAPS and LAPS including the equipment, furniture, surfacing and boundary treatment to be installed, shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented prior to occupation of the 50th dwelling being first occupied and retained thereafter.

Reason: To ensure the provision of adequate play and children's recreation facilities.

(Section 8, NPPF)

- 17 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 9 of the National Planning Policy Framework.

- 18 Within the submission of any reserved matters planning application relating to the site, section drawings between the site and existing built development adjacent to the boundaries will be submitted to and approved in writing by the Local Planning Authority. The development will thereafter be carried out in accordance with the approved details.

Reason: To ensure adequate information is provided at reserved matters stage in the interests of ensuring appropriate relationships with neighbouring buildings and living conditions. (Section 12, NPPF)

- 19 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste generation in accordance with the Council's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

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

A Phase 2 intrusive Contamination Investigation as recommended by the previously submitted Phase 1 Assessment, along with any necessary Remediation Method Statement(s) for the mitigation of plausible pollution pathways thereby identified. Works shall be undertaken by competent persons and follow the 'Model Procedures for the Management of Land Contamination, CLR 11

Reason: This is a pre-commencement condition in order to ensure that the amenity of existing residential occupiers and future occupiers of the proposed dwellings are properly protected.

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

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

Reason: To ensure that the amenity of existing residential occupiers and future occupiers of the proposed dwellings are properly protected.

- 22 **No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority. The EDS shall include the following**
- a) **Review of the site potential and constraint, to be informed by up to date survey information including a reptile 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.**
 - i) **Details for monitoring and remedial measures**

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

Reason: To ensure adequate provision for ecology in terms of securing net gains.

The condition is pre-commencement as additional survey work is required to be undertaken in relation to reptiles.

- 23 **Development shall not begin until a detailed scheme to protect proposed dwellings from noise from the road traffic on the A507 and existing dwellings from traffic noise from the proposed access roads, at the proposed development has been submitted and approved in writing by the local planning authority. Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of noise barrier(s) along the boundary with the road(s), building insulation and a ventilation strategy for the proposed dwellings.**

Reason: This is a pre-commencement condition to ensure the amenity of existing residential occupiers and future occupiers of the proposed dwellings are properly protected.

- 24 **Development shall not begin until details of a ventilation scheme (which shall be designed to achieve the standards set out below) for the proposed dwellings has been submitted to and approved in writing**

by The Local Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for road noise as specified in the above condition.

Reason: This is a pre-commencement condition to ensure that the amenity of future occupiers of the proposed dwellings are properly protected.

- 25 **No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC), and a maintenance and management plan for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards or sewage undertaker. The final detailed design shall be based on the agreed drainage Strategy (Ref:133260-R1(2)-FRA, September 2018) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval. The applicant should address points 1, 2, 3 and 4 within informative 6 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 163 and 165 of the NPPF and its supporting technical guidance.

- 26 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 1002 Rev C.

Reason: To identify the approved plan 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 the highway related 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
3. 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.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.
5. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with Central Bedfordshire Council's "Cycle Parking Guidance - August 2006".
6. The Drainage Officer advises that the final design and maintenance arrangements for the surface water system to be agreed by condition should include details in line with the following recommendations:
 1. Detailed site investigation results (including any site specific soakage tests and ground water monitoring shown in accordance with BRE 365) will need to be provided with the detailed design.
 2. We believe drawing No 133260 is incorrectly labelled on the Key, "existing watercourse" seems to be permeable paving. FRA also states no existing watercourses. Any existing, watercourses will need to be part of the continued maintenance and management plan to ensure the discharge can be conveyed from site.
 3. We will require full calculations to verify storage requirement. Correspondence with the IDB or water sewage authority should be

included in the next submission to prove acceptance of discharge rate, therefore final storage required.

4. A full drainage drawing is required, this should show; pipe numbers, inverts, control features, storage etc.
5. 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'.
6. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage, including ditches; 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.



Item No. 9

APPLICATION NUMBER	CB/18/03781/FULL
LOCATION	32 Shefford Road, Meppershall, Shefford, SG17 5LN
PROPOSAL	Demolition of No. 32 Shefford Road and existing nursery buildings, and the construction of 60 No. dwellings, new vehicle access, site-wide highways works, and provision of associated landscaping and amenity space (including SuDS).
PARISH	Meppershall
WARD	Shefford
WARD COUNCILLORS	Cllrs Liddiard & Brown
CASE OFFICER	Nicola Darcy
DATE REGISTERED	09 October 2018
EXPIRY DATE	08 January 2019
APPLICANT	Inland Homes PLC
AGENT	Planning Potential Ltd.
REASON FOR COMMITTEE TO DETERMINE	1. Departure from Development Plan 2. Major development with Parish Council Objection
RECOMMENDED DECISION	Full Application - For approval subject to a S.106 Agreement

RECOMMENDED REASONS FOR 32 SHEFFORD RD, MEPPERSHALL 18/03781

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

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

- 2 **No development shall take place, including any works of demolition, until a Construction Traffic 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) Loading and unloading of plant and materials used in the development

(B) Storage of plant and materials used in the development

(C) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.

(D) Wheel washing facilities

(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.

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

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. This condition is pre-commencement as it requires consideration of the impact on the highway network and highway safety prior to any development taking place.

- 3 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 9 of the National Planning Policy Framework.

- 4 Development shall be carried out in accordance with the landscaping scheme shown on plan ref: Landscape Masterplan, INL21723-10 Rev. C and associated Landscape Maintenance Plan. The scheme shall be implemented by the end of the full planting season immediately following the completion and first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

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

- 5 **No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:**
- **Procedures for maintaining good public relations including complaint management, public consultation and liaison**
 - **Arrangements for liaison with the Councils Pollution Team**

- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Central Bedfordshire Council encourages all contractors to be 'Considerate Contractors when working in the district by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

- 6 No development shall commence until a detailed surface water drainage scheme, to manage surface water run off from the development for up to and including the 1 in 100 year event (+40%CC), and a maintenance and management plan for the scheme has been submitted to and approved in writing by the Local Planning Authority. The discharge rate from the development will be limited to the equivalent 1 in 1 year rate, or an appropriate rate as agreed by the Bedford Group of Internal Drainage Boards. The final detailed design shall be based on the agreed drainage Strategy (Ref: WHS1629, October 2018) and DEFRA's Non-statutory technical standards for sustainable drainage systems (March, 2018), and shall be implemented and maintained as approved. Maintenance will ensure the system functions as designed for the lifetime of the development. Any variation to the connections and controls indicated on the approved drawing which may be necessary at the time of construction would require the resubmission of those details to the Local Planning Authority for approval.

The applicant should address the points; 1, 2, 3, 4, 5 and 10 detailed in Informative number 2 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 163 and 165 of the NPPF and its supporting technical guidance.

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

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

- 8 **No development shall take place (including any demolition, ground works, site clearance) until a method statement for based on advice detailed in the September 2018 Ecological Impact Assessment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:**
- a) purpose and objectives for the proposed works;**
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
 - c) extent and location of proposed works shown on appropriate scale maps and plans;**
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
 - e) persons responsible for implementing the works;**
 - f) initial aftercare and long-term maintenance (where relevant);**
 - g) disposal of any wastes arising from works.**

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

**Reason: To enable proper consideration of the impact of the development on the contribution of nature conservation.
(Section 15, 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 the September 2018 EclA 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: To enable proper consideration of the impact of the development on the contribution of nature conservation.
(Section 15, NPPF)**

- 10 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 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and material conditions of the site with regard to potential contamination.

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

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

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

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

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

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

- 12 Prior to the construction phase, details of the proposed landscaping buffer to the north eastern boundary of the site shall be submitted and approved by the Local Planning Authority. Details shall include boundary treatment, a maintenance access point and maintenance plan.

Reason: In order to maintain a soft boundary edge in the interest of the visual amenity of the countryside

- 13 The access road shall not be brought in to use until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises. (Section 9, NPPF)

- 14 No other part of the development shall take place until the visibility splay at the junction of the access with the public highway shown on the approved drawing has been 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, and to make the access safe and convenient for the traffic which is likely to use it . (Section 9, NPPF)

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

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users.(Section 9, NPPF)

- 16 No development shall take place, including any works of demolition, until a Construction Traffic 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) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.

- (G) Footpath/footway/cycleway or road closures needed during the development period
- (H) Traffic management needed during the development period.
- (I) 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.

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

Reason: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety. (Section 9, NPPF)

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1783_P_01 Rev. A, 1783_P_02 Rev. A, 1783_P_03 Rev. A, 18001 - 01 Rev. A, House Type 4EB 1400W - 18001 - 20, House Type 4EB 1400W - 18001 - 21, House Type 4EB 1400W - 18001 - 34, House Type 4EB 1400W - 18001 - 35, 1 & 2b Apartments - 18001 - 31 Rev. A, INL21723-03 Rev. A - Tree Protection Plan, INL21723-08 Rev. A - Landscape Concept Plan, INL21723-09 Rev. B - Landscape Strategy Plan, INL21723-10 Rev. C - Landscape Masterplan, INL21723-10 Rev. C - Landscape Masterplan, INL21723 11 Rev. A - Landscape Proposals Sheet 1 of 4, INL21723 11 Rev. A - Landscape Proposals Sheet 2 of 4, INL21723 11 Rev. A - Landscape Proposals Sheet 3 of 4, INL21723 11 Rev. A - Landscape Proposals Sheet 4 of 4, INL21723 12 Rev. B - Hard Landscape Proposals Sheet 1 of 4, INL21723 12 Rev. B - Hard Landscape Proposals Sheet 2 of 4, INL21723 12 Rev. B - Hard Landscape Proposals Sheet 3 of 4, INL21723 12 Rev. B - Hard Landscape Proposals Sheet 4 of 4, INL21723 20 Rev. B - Feature Entrance Detail, INL21723 21 Rev. B - Pocket Park Detail, INL21723 22 Rev. B - Open Space Detail, INL21723 23 Rev. A - Housing Court Detail.

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 Drainage Officer advises that the final design and maintenance arrangements for the surface water system to be agreed by condition should include details in line with the following recommendations:
 1. We would suggest making the ground level obviously higher between the pond and the existing property (installing a bund maybe) to ensure the property occupiers do not “feel more threatened by flooding.” This, in case of exceedance, would direct water on the natural path with no threat of flow towards the property.
 2. The road could be drained via filter strip and swale/rill to the pond.
 3. Existing, ditches will need to be part of the continued maintenance and management plan to ensure the discharge can be conveyed from site.
 4. There are no calculations to verify storage requirement.
 5. A full drainage drawing is required, this should show; pipe numbers, inverts, control features, storage etc.
 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’.
 7. Parking areas would benefit from permeable paving, this would prevent the direct discharge of polluted water to the storage.
 8. 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).
 9. To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage, including ditches; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.

Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to the existing watercourse/ditch, 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.

3. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.
4. 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.
5. 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.

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Item No. 10

APPLICATION NUMBER	CB/17/04959/OUT
LOCATION	Park Farm, Park Road, Westoning, Bedford, MK45 5LA
PROPOSAL	Proposed residential development of up to 73 units comprising of flats and houses, including demolition of up to two no. units on Manor Close. Proposal also includes for a village shop, a village hall and burial ground to be located within the site.
PARISH	Westoning
WARD	Westoning, Flitton & Greenfield
WARD COUNCILLORS	Cllr Jamieson
CASE OFFICER	Peter Vosper
DATE REGISTERED	13 October 2017
EXPIRY DATE	12 January 2018
APPLICANT	European Property Acquisition Ltd
AGENT	David Coles architects ltd
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	Requirement to report the non-determination of a 'major' application to Development Management Committee for a resolution.
	Outline Application - Recommended for Refusal

Reason for Recommendation:

This 'major' outline planning application for up to 73 residential units is subject to an appeal against non-determination. The appeal is due to be heard by method of a hearing on 2 April 2019. The application is therefore no longer before Central Bedfordshire Council for determination. However, under paragraph 4.4.53 of Part 3E of the Central Bedfordshire Constitution, the non-determination of a 'major' application needs to be reported to Development Management Committee for a resolution.

That Planning Permission was REFUSED for the following reasons.

RECOMMENDED REASONS

- 1 The proposed development represents inappropriate development within the Green Belt, which is, by definition, harmful to the Green Belt. The proposal would be detrimental to the openness and visual amenity of the Green Belt, and comprises an encroachment into the countryside. No factors or combination of factors clearly outweigh the harm to the Green Belt, and other harm, to comprise very special circumstances. The proposal is therefore

contrary to Section 13 (Protecting Green Belt land) of the National Planning Policy Framework (NPPF), July 2018.

- 2 The proposed development beyond the Settlement Envelope of the village of Westoning would harm the open character of the countryside in this location defined by agricultural land and hedgerows. The proposal is therefore inappropriate and harmful development in the countryside, and contrary to Policy DM4 (Development Within and Beyond Settlement Envelopes) of the Core Strategy and Development Management Policies (CSDMP) - North 2009.
- 3 The Archaeology Desk Based Assessment submitted with the application fails to consider the impact of the proposed development on the setting of the medieval circular moated manor (HER 233), adjacent to the application site, a Scheduled Monument (NHLE 1008759) and designated heritage asset. Furthermore, there is insufficient information on the impact of the proposal on the buried archaeological resource or the surviving earth works within the application site. In the absence of such archaeological evaluation and an updated Desk Based Assessment, the proposal presents harm to heritage assets and their setting, contrary to paragraphs 189, 190 and 193, 194 and 195 in Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (NPPF), July 2018.
- 4 Part of the site is in Flood Zone 2 which has a 'medium probability' of flooding and Flood Zone 3 which has a 'high probability' of flooding, as defined on the Environment Agency's flood plain map. However, the application fails to provide a Sequential Test to demonstrate whether there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding, and is therefore contrary to paragraph 158 in Section 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (NPPF), July 2018.

Item No. 11

APPLICATION NUMBER	CB/18/04183/OUT
LOCATION	Land East of No.13 Clophill Road, Maulden, Bedford, MK45 2AQ
PROPOSAL	Outline: Erection of 14 dwellings including access
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Terence Garner
DATE REGISTERED	12 November 2018
EXPIRY DATE	07 January 2019
APPLICANT	Aldbury Homes
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure to Development Plan. Parish Council Objection to major application.
RECOMMENDED DECISION	Outline Application - Recommended for Approval

The Officer recommendation was to approve the application, however Members of the Development Management Committee resolved to refuse the application in accordance with the reasons for refusal attached to this Decision Notice.

The requirements of the Framework (paragraph 38) have therefore been met in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **REFUSE PERMISSION** for the development specified above and shown on the submitted plans, for the following reasons:

- 1 The principle of development on this open landscape area of land is considered to be unacceptable and inappropriate and is contrary to adopted policy DM4 of the Central Bedfordshire Core Strategy and Development Management Policies 2009; which seeks to conserve open landscape areas between developments, preventing coalescence of settlements and conserving the separate character and physical identity of the various village ends. This site is open to views from the elevated Greensand landscape to the north, where clear views of the site are gained from the public footpath. The Site is integral to the open countryside which forms the wider setting of Maulden Church. The proposed scheme would remove one of the few remaining important open spaces along Clophill Road by introducing a built form within an open elevated landscape area between settlements. The route into Maulden Village and the retention of occasional pockets of open landscape along Clophill Road are important in terms of the rural nature

of the area, the village, its surrounding character and its historic development.

The scheme of development is also in conflict with Policy DM14 of the Central Bedfordshire Core Strategy and Development Management Policies 2009 which makes particular reference to the need to safeguard highly sensitive landscapes such as the Flit valley and the Greensand Ridge, and is contrary to NPPF 2018: paragraph 170, which requires the planning process to enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside. This scheme would irreparably harm the openness of the area and detract from the landscape character at this sensitive location.

The open character of the wider area of the Greensands landscape, which forms a backdrop to the site, does to a great extent owe some of its landscape quality to sites such as this, the loss of a further open landscape view would have a demonstrably harmful and unacceptable impact on the character of the village and the wider landscape within which it sits.

**NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING
AUTHORITY REFUSE PLANNING
PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* delete where inappropriate

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Item No. 13

APPLICATION NUMBER	CB/18/03698/RM
LOCATION	9 Silsoe Road, Maulden, Bedford, MK45 2AX
PROPOSAL	Reserved Matters: Application CB/17/04031/OUT dated 12/01/2018. Appearance, landscaping, access, layout & scale
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Lauren Rance
DATE REGISTERED	01 October 2018
EXPIRY DATE	26 November 2018
APPLICANT	J.C.Gill Developments Ltd.
AGENT	JRT Architectural Design Limited
REASON FOR COMMITTEE TO DETERMINE	Cllr Jamieson is a neighbour to the application and has commented on the application. Therefore in accordance with the Scheme of Delegation (PART 3E/Page 41 para 4.4.22.3) the application is required to be determined by the Committee
RECOMMENDED DECISION	Reserved Matters – Recommended for Approval

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England)
Order 2015**

NOTICE OF APPROVAL OF RESERVED MATTERS

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.

The Council as the Local Planning Authority hereby gives notice of its decision to **APPROVE** the reserved matters specified above in respect of the outline Planning Permission **CB/17/04031/OUT** dated 12/01/2018 (and to which this notice should be attached), subject to the following conditions:

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers JG/2018-02/02A, SRM01 Rev A, JG/2018-02/03A, JG/2018-02/07A, JG/2018-02/05, JG/2018-02/06B, JG/2018-02/04B and Site Location Plan.

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

- 2 The planting, landscaping scheme shown on approved Drawing No. SRM01 Rev A dated 28/11/18 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)

- 3 The boundary treatment scheme shown in drawing number SRM01 Rev A shall be constructed in the positions, design, materials and type shown prior to the building being occupied. The boundary treatment shall then be retained thereafter.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality.
(Section 12, NPPF)

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

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 12, NPPF)

- 5 The proposed vehicular access shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5.0m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

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

- 6 The turning space for vehicles illustrated on the approved drawing no. JG/2018-02/02A shall be constructed before the development is first brought into use and thereafter retained for the purpose of a turning area

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

- 7 The first floor window serving an ensuite in the north facing elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To safeguard the privacy of occupiers of adjoining properties
(Section 12, NPPF)

NOTES TO APPLICANT

Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.

- 1 This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
- 2 In accordance with Article 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the National Planning Policy Framework (NPPF) and the Core Strategy for North Central Bedfordshire.
- 3 The applicant is advised that no works associated with the construction of the vehicular access/crossover should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to follow this link on the Council website
<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration. To fully discharge condition 7 the applicant should provide evidence to the Local Planning Authority that the Highway Authority have undertaken the construction in accordance with the approved plan, before the development is brought into use.

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 by this link on the Council website
<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301

The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to follow this link on the Council website
<http://www.centralbedfordshire.gov.uk/transport/request/dropped-kerb.aspx> or contact Central Bedfordshire Council Tel: 0300 300 8301. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

The applicant is advised that no private surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system

The contractor and / or client are to ensure that any mud or building material debris such as sand, cement or concrete that is left on the public highway, or any mud arising from construction/demolition vehicular movement, shall be removed immediately and in the case of concrete, cement, mud or mortar not allowed to dry on the highway

Item No. 15

APPLICATION NUMBER	CB/18/04058/FULL
LOCATION	Tree Tops, 13 West Hill, Aspley Guise, Milton Keynes, MK17 8DP
PROPOSAL	External steps and platform to access roof void storage over garage from existing garden level
PARISH	Aspley Guise
WARD	Aspley & Woburn
WARD COUNCILLORS	Cllr Wells
CASE OFFICER	Matt Cranitch
DATE REGISTERED	01 November 2018
EXPIRY DATE	27 December 2018
APPLICANT	Mr & Mrs Hercheui
AGENT	Alistair McIntyre RIBA
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Budge Wells for the following reason: Loss of privacy – application provides platform where people standing on it can see into adjacent house shower room and through the front door when open
RECOMMENDED DECISION	Full Application - Recommended for Approval

Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Council as the Local Planning Authority hereby gives notice of its decision to **GRANT PERMISSION** for the development specified above and shown on the submitted plans, subject to the following conditions:

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

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match the existing building in the interests of the visual amenities of the locality.
(Section 12, NPPF)

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

A0528-01

A0528-02

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LATE SHEET

DEVELOPMENT MANAGEMENT COMMITTEE – 6th February 2019

Item 5 – CB/18/02458/OUT – Land to the East of Baden Powell Way, Biggleswade.

Additional Consultation/Publicity Responses

None.

Additional Comments

None.

Additional/Amended Conditions

None.

Item 6 – CB/18/02251/OUT – The Lagoon, 197 Hitchin Road, Arlesey, SG15 6SE.

Application Withdrawn.

Item 7 – CB/18/02373/OUT – Loft Farm and West of Church Street, Langford, Biggleswade, SG18 9QA.

Additional Consultation/Publicity Responses

Following on from the previous Committee meeting, three additional objections have been received. These have been summarised below:

- Unconvinced that the developer will be able to access the site through Tithe Farm Close with the size of machinery necessary to economically build the proposed estate.
- Fear that the builders will disregard the Construction Management Plan and as a consequence cause damage to the road, the pavements and even the houses in Tithe Farm Close.
- Large vehicles could block access to the western end of Tithe Farm Close.
- Question where deliveries will come from (for example would they be from Henlow or Biggleswade?).

- The Plan does not account for car parking within Tithe Farm Close.
- The tracking diagrams are tight.
- Does not comply with the Langford Neighbourhood Plan
- Concern regarding delivery vehicles waiting in Tithe Farm Close
- Police have objected to the proposed development
- The crossing should be upgrading prior to the commencement of development.
- Concern regarding tradesmen parking in Tithe Farm Close
- Businesses within Tithe Farm Close could be negatively affected.
- Consider that the proposal is not sustainable.
- Concern that the footpath dimensions do not meet the 2.0 metre standard
- Question whether the development would result in a net gain in terms of biodiversity.

Additional Comments

The conclusion shall be amended to read

“Conclusion

*Based upon the further information, it is considered by officers that the development would **not** present an unacceptable adverse impact in terms of residential amenity or highways safety. As such, the original recommendation is reiterated within this report. **The recommendation is subject to a s106 agreement”***

Additional/Amended Conditions

None.

Item 8 – CB/18/03694/OUT – Land at Ivel Road, Shefford.

An editing error has occurred, therefore, the below section has been repeated for the avoidance of doubt

5.3 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. At the time of writing, the contributions sought and agreed by the Applicant are as follows:

Indoor Sport: £79,701 towards the provision of the planned extension works for additional studio space at Saxon Leisure Centre.

Outdoor Sport: £32,045 towards pitch improvements for Shefford Sports Club.

To mitigate the demand generated by the development a contribution of **£79,701** is sought towards the creation of additional studio space at Saxon Pool LC.

£18,900 Contribution will be spent on refurbishment works for Shefford Library

£80,784 A contribution to Phase 2 of the STMA (Shefford Town Memorial Association) land refurbishment requires initial ground works and 3 pitched roofs.

Affordable Housing: **35%**

£95,355 NHS contribution

Education Contributions:

EY	£109,874.23
Lower	£366,247.44
Middle	£313,035.84
Upper	£383,864.83
Total	£1,173,022.34

NHS request for Contributions Additional Information

Consideration of the potential consequences of this development and the health infrastructure implications has been undertaken on behalf of NHS England and Bedfordshire Clinical Commissioning Group.

This development, should the application be successful will affect Shefford Medical Centre. The current premises were designed for a total patient list size of 22,000 to deliver core General Medical Services. There are already 18,000 patients registered

with the practice and with residential developments already under construction in and around Shefford it is expected to reach full capacity very shortly, especially with the requirement to offer a wider range of patient services from GP Practices, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into secondary care.

This application will result in circa 286 additional patient registrations and create a constraint that will require premises reconfiguration and extension to create additional clinical capacity. For this reason, in order to make this development acceptable to NHS commissioners, it is requested that a contribution is made towards the infrastructure supporting the delivery of the 5 Year Forward View and Primary Care at Home models.

In order to mitigate the impact of this development on local healthcare services, it is requested on behalf of BCCG and NHS England that a contribution is made for £1,059.50 per dwelling towards local healthcare infrastructure.

This figure is based on the following breakdown:

GP Core services	£815.00	Per dwelling	1/3 of the total health requirement according to a study carried out by Guildhouse UK Ltd.
Community	£114.10	Per dwelling	7% of the remaining 2/3 of the requirement
Mental Health	£130.40	Per dwelling	8% of the remaining 2/3 of the requirement
Total	£1,059.50	Per dwelling	

The calculations above are based on the impact of this development only, on the number of dwellings proposed and do not take into account any existing constraints.

Request for contributions for Woodland Maintenance

As stated in the Committee Report, the woodland within the 'blue line' will come forward to CBC. The Countryside Access Officer has requested a maintenance contribution of £121,200. The contributions would fund the following:

- Two parking spaces
- Drop Kerb access
- Fencing post and two rail with stock netting to base, out side of woodland area on estate side and other land scaping with 3.6 meter field gate / service entrance. For maintenance. Approximately 300m
- Establish three pedestrian entrances, radar key all access metal kissing gates, and two litter bin points combine litter and dog waste one at each entrance, must be accessible by vehicle.

- 1km of All ability surfaced access path circle route around woodland 2.5 meters wide
- 1 km Clear two rows of tree to establish route and grind out stumps.
- Clear centre ride, re-establish grass through regular mowing to established sward to encourage tilling of grass plants, other route clearance works.
- Road side establish hedge coppice occasional existing shrubs and trees.
- Increase establish hedgerow species double row of native species 5 per meter cane and spiral guard and internal fence protection post and two strand top plain wire and sheep netting below, doubling as safety fencing to prevent dogs / children running out on A507 road. Approximately 350m
- Thinning of existing woodland, woodland is predominantly Ash which is likely to be lost due to ash die back which is effecting most woodlands in the area. Suggest all areas 30% thinning carried out over five year period of 50 % of area of woodland standard forestry practise for woodland s of this age.
- Due to large ash content thin up to 75% trees for 50% of area and introduction of Hornbeam to replace Ash content with ride side establishment of native shrubs.
- Introduction of native ground flora species e.g. Bluebell bulbs, primroses plugs and others through seed mix distribution.
- Four benches heavy oak benches with backs.
- Establish central open glade and create several scallops to internal edge to outer rides
- Two interpretation / site map boards
- Wardening two visits per month
- Staff Time Management of Project to deliver woodland improvements for Public open space.

As this request was received late, the developer has not yet formally agreed to the request. Any update will be reported to Members during Committee.

Additional Consultation Responses

Highways

Thank you for the consultation on the application for the above proposal, on behalf of the highway authority the following comments are offered based on drg 19308-02 Rev G.

The turning land for the ghost right turn has now been provided at 3.5m and as such accords with the Design Manual for Roads and Bridges (DMRB) the through lanes are at 3m in width and this was supported by a road safety audit (RSA).

As previously mentioned, the Transport assessment is considered acceptable, the breakdown of the level of traffic along Ivel Road is projected as being 12.7% going north with the remaining 87.3% going south to the A507 roundabout based on census information. This would be circa 33 outward movements in the am peak with 27 inward movements in the pm peak. Based on the projected movements this would be 4 vehicles heading north on Ivel Road and 29 vehicles heading south on Ivel Road.

There will be a requirement for Traffic Regulation Order's to lower the speed limit to 40mph on the approach arms to the A507 along with a 30mph speed limit will along Ivel Road which will act as a buffer zone to the 20mph speed limit. Parking restrictions are required per the RSA on Ivel Road to prevent on road parking which currently exists and in to the development junction itself.

Inclusion of the raised table on drg 19308-02 Rev E (Site Access with Right Turn Lane) shall now be provided to provide a speed reduction measure between the two roundabouts either side of the new development access.

It is advised that a financial contribution be sought for £4,000.00 for additional measures should the Traffic Regulation Order for double yellow lines not be approved or additional measures should the TRO need further enforcing by bollards (8 number bollards) to protect vehicles form mounting the footway. This should be made available for five years after the development had been adopted with any monies returned should no further problems arise.

A construction management plan for the residential element would be added at the reserved stage.

Conditions

1/No building shall be occupied until the junction of the proposed vehicular access (drg no.19308-02 Rev G) with the highway has been constructed in accordance with the approved details. The raised table as shown on drg 19308-02 Rev E shall also be provided as a speed reduction measure.

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

2/ Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 59m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

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

3/ 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.

4/ Visibility splays shall be provided at all internal 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.

5/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate independent vehicular turning head area(s) for an 11.5m refuse collection vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

6/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

7/ No building shall be occupied until Traffic Regulation Orders on both sides of Ivel Road and the development junction for the provision of No Parking restrictions have been implemented. Furthermore, speed limit reductions on the A507/Ivel Road/Shefford Road roundabout approach roads restrictions to 40mph and a 30mph speed limit on Ivel Road from the existing 20mph speed limit to the A507/Ivel Road/Shefford Road roundabout have been implemented.

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

Item 9 – CB/18/03781/FULL – 32 Shefford Road, Meppershall, Shefford, SG17 5LN

A printing error has caused some text to be omitted, please see below section for clarity.

6.3 At the time of writing; the Agent acting for the developer has yet to confirm formal agreement to all of the requests from Spending Officers – Members will be updated at

the Committee meeting of any comments received. Spending Officers have so far required and suggested the following:

Education Contributions

Early Years	£58,589.37
Lower	£195,297.90
Middle	£196,516.94
Upper	£240,981.81
Total	£691,386.03

Libraries: Refurbishment Works at Shefford Library £12,600

1. **Outdoor Sport:** £27,187 is required for the Parish Council's project for the provision of new outdoor gym equipment at Meppershall Rec Gnd. A suggested contribution by the developer is welcomed.
2. **Children's Play:** £75k towards a new play area and equipment behind the village hall.
3. **Allotments:** £11,500 is required to improve security fencing, irrigation system and eco toilet at Meppershall Allotments. A suggested contribution by the developer is welcomed.

Update

The developer has agreed to pay the contributions as set out above and has made the following statement with regard to Affordable Housing:

Affordable Housing

Please accept this as confirmation of our increased affordable housing offer of 21 units (35%). We are also offering a tenure split in accordance with policy of 15 Affordable Rent units (71.4%) and 6 Shared Ownership units (28.6%). This was the split requested by your Housing Officer. To meet this request, plots 23 and 24 have been transferred to affordable housing (Shared Ownership and Affordable Rent respectively). We have also switched plots 25-28 from Shared Ownership to Affordable Rent.

NHS Contribution Request Further Information

Consideration of the potential consequences of this development and the health infrastructure implications has been undertaken on behalf of NHS England and Bedfordshire Clinical Commissioning Group.

This application will generate circa 156 additional patient registrations and is expected to impact Lower Stondon Surgery. The current premises are deemed severely constrained. A severe premises constraint affects a surgery's ability to take on new patients and even new GP's and allied clinical staff, especially with the requirement to offer a wider range of patient services from GP Practices, including mental health and community services and some outreach specialist services from local hospitals, delivering care locally and reducing referrals into secondary care.

The requested contribution is calculated only on the number of additional new registrations and patient activity requirements this development will generate and therefore will contribute in proportion towards the costs of reconfiguration or extending the premises.

The s106 request for this development has been calculated as follows:

Primary Care is currently commissioned by NHS England which has a co-commissioning relationship with Bedfordshire CCG. The primary care calculation is based on a formula adopted across the NHS England Midlands and East (Central Midlands) team to provide consistency for all the 25 local authorities it works with and as part of the single operating model of best practice it has developed.

$w \times 2.6 = x$ Multiply the numbers of dwellings in any given development (w) by 2.6 to give x new patients
$x/2000 = y$ Divide the number of patients by 2000 to give the numbers of GPs needed (y) (based on the ratio of 2,000 patients per 1 GP (as set out in the NHS England " <i>Premises Principles of Best Practice, Part 1 Procurement & Development</i> ")
$y \times 199 = z \text{ m}^2 \text{ of additional GMS space}$ Multiply the number of GPs required by 199 to convert to new GMS space (199 m ²) being the amount of floor space required by each GP (again as set out in the NHS England " <i>Premises Principles of Best Practice, Part 1 Procurement & Development</i> ")
$z \times \text{£}3,150^* = \text{£}$ Multiply the floor space by £3,150 which represents build cost per m ² including fit out and fees to give a total cost (£)
$\text{£}/\text{number of dwellings} = \text{£}815.90 \text{ (rounded to } \text{£}816 \text{ per dwelling)}$ Dividing the total build cost by the number of dwellings provides a standard contribution required from each new dwelling towards the cost of providing GMS services for that development

Acute, community and mental health services are commissioned by Bedfordshire CCG. Accepting that for an application of this size the acute calculations are not being requested, the methodology of calculation, based on known data, is however similar for acute, community and mental health services.

These contributions are calculated by activity type and recorded attendance data. These secondary care activity type attendance numbers reflect a lower proportion of the population than the 90% first accessing healthcare via GP provided primary care services.

This approach then determines the proportionate growth of specific development sites from which space requirements are determined by infrastructure type – e.g. for acute services: Wards; Theatres; A & E space; Outpatients Suite/consulting rooms; MRI CT Ultrasound and X Ray etc. The acute services build costs per infrastructure type are considerably more expensive than for primary, community and Mental Health care, due to their complexity and highly sophisticated technical requirements.

For Community Health Centres: treatment rooms; consulting rooms; diagnostic rooms etc., a similar calculation using the same attendance methodology for community health services establishes an infrastructure cost per dwelling of **£114.10**

A final secondary healthcare consideration relates to mental health services and here the attendance methodology establishes an infrastructure cost per dwelling of **£130.40**. The mental health costs per dwelling reflect differing infrastructure types such as in-patient wards as well as a range of community based mental health provision. The calculations above for a contribution of £1,060.50 per dwelling totalling £63,630.00 are based on the impact of this development only.

Additional Consultation Responses

Tree and Landscape Officer

23/01/19

Four detailed landscape plans have been supplied. Previous comments both from myself and the Landscape Officer relating to this application expressed the importance of a suitable landscape buffer to the north west boundary of the site. The plans indicate some limited proposals along this boundary comprising of a native hedge and a number of trees all planted in a narrow strip of land much of which is separated from adjoining plots by a 1.8 metre closeboard fence. Previous comments suggested that this should be retained and maintained within the public realm ensuring a natural buffered edge with open countryside. Close board fence will leave much of this planting in the shade being to the north east of the fence which is going to reduce any likelihood of establishment. There is no access to maintain this strip and it is highly likely that this area behind the fence will become an unmaintained area ideal for the disposal of garden refuse, grass cuttings etc. I do not believe that this is acceptable. With some rethinking and redesign of the site this boundary could incorporate a decent strip of buffer with space for quality planting and boundary treatment all maintained under an agreed management proposal.

Agent's Response to comments

The north-east boundary of the site is currently shown to comprise a native hedge with trees in a narrow strip of land beyond the 1.8m close board fence which forms the boundary of the adjacent properties.

Our original design intention was to create a buffer zone designed to soften this edge in views from the north and to be accessed for maintenance only.

The submitted layout omits the intended private gated access to allow maintenance only adjacent to Plot 7. To resolve this maintenance issue, the drawings could be amended to include this private gate as a non-material amendment to a planning permission.

Additionally, given the comments by the officer that the plants would be disadvantaged in establishment, the 1.8m close board fence along the north-eastern boundaries of the plots could also be changed to a 1.5m post and rail fence to reduce the shading effect and increase the likelihood of successful establishment of the plants. This may also serve as a deterrent to 'garden waste' dumping as the strip would be visible to the occupants of the properties and it would be in their own interest to keep it clear of waste. Some additional flowering shrub planting within the strip could add to the attractiveness of this area to residents.

These amendments would be consistent with the desire to ensure a 'soft' north-eastern boundary to the site and would further improve the view described and illustrated as Photoviewpoint EDP 4 within edp's Landscape and Visual Addendum (edp4735_r003).

Planning Officer Comments

Currently, there are several very large glass houses to the north eastern boundary of the site, the clearance of these dilapidated buildings will no doubt be a benefit to the character of the location. In terms of landscaping, a 3m strip has now been provided, outside of private ownership, in line with advice from the Council's Landscape Officer. A condition is suggested to ensure that the strip lies outside of public ownership and could be continued to be accessed for maintenance purposes.

Suggested condition

Prior to the construction phase, details of the proposed landscaping buffer to the north eastern boundary of the site shall be submitted and approved by the Local Planning Authority. Details shall include boundary treatment, a maintenance access point and maintenance plan.

Reason: In order to maintain a soft boundary edge in the interest of the visual amenity of the countryside.

Additional Neighbour Responses

- The noise report adds no value as it was carried out during an inappropriate time and should have taken place on a weekend or holiday period. Also it is paramount that the site is securely fenced off from surrounding homes to ensure peoples privacy. My home will have a road running the full length of my boundary and gardens at the rear. A 6-8 ft fence needs to be put up to protect and secure my boundary and neighbours boundaries
- I object because these houses will be so close to our business. If as it states a noise report has been done then this has been done at our quiet time and does not reflect a true report a noise report needs to be done at peak time eg July/ August. Has a report been done on the noise generated From 60 houses and the effect this will have on the animals we board under the new animal welfare regulation they have a right to be protected from excess noise and to be kept safe and happy. Noise from these houses will be 24 hours, our animals are shut up early evening and we have taken measures to keep noise to a minimum. The area is full of wildlife Bats, foxes, birds of prey. The roads in meppershall cannot cope with the extra traffic, Hoo road was never intended to cope with extra cars. Our business has been here over 40 years and built away from the main village now the village is coming closer. I ask that this be refused as no guarantee can be given the noise from these houses will not cause stress to our boarders

Planning Officer Comments

The Pollution Officer has scrutinised the Noise Report and raises no objection:

An updated noise assessment has been submitted. The updated Entran noise assessment dated December 2018 has now included monitoring of 36b Shefford Road and concludes that standard double glazing with windows partially open will achieve noise standards in all plots and amenity areas with respect to road traffic noise and commercial noise from the kennels and 36b Shefford road. Therefore noise conditions are not necessary for this development.

Highways

Thank you for the consultation on the application for the above proposal. On behalf of the highway authority the following comments based upon drg 1783/P/01 Rev A Proposed Site Layout.

The proposed layout has changes since the initial layout with each pocket of housing having visitor parking provided. The numbers of dwelling from a private drive has been reduced but the full provision of 2m wide service margins around the turning heads have not been provided but whilst this does not meet the Design Guide requirements service vehicles are able to access and egress in a forward gear. The road adoptions team have been consulted and as the full 2m wide service margins have not been provided it will result in all the roads within the development staying private as the road surfaces are also a mish mash of materials.

Two roads that serve plots 53 to 57 and 44 to 47 will require bill collection points close to the main spine road as will the collection point serving plots 29 to 31. A

The raised table along Shefford Road (but shown on drg 03378-TR-0003-P2 Site Access Drawing within the Transport Statement) has not been shown but a condition is provided in this instance for details to be submitted.

Conditions

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

2/ The access road shall not be brought in to use until the junction of the proposed vehicular access with the highway has been constructed in accordance with the approved details.

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

3/ No other part of the development shall take place until the visibility splay at the junction of the access with the public highway shown on the approved drawing has been 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).

4/ No building shall be occupied until cycle storage has been provided and the vehicle parking spaces have been properly surfaced and marked out/provided in accordance with the approved drawing. The spaces shall thereafter be kept available for parking at all times.

Reason: To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

5/ 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.

6/ No development shall take place, including any works of demolition, until a Construction Traffic 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) Wheel washing facilities
- (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- (G) Footpath/footway/cycleway or road closures needed during the development period
- (H) Traffic management needed during the development period.
- (I) 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.

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

REASON: In the interests of safety, protecting the amenity of local land uses, neighbouring residents and highway safety.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued by the council.

1/ The applicant is advised that in order to comply with Condition 2 of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. 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

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 Help Desk tel: 0300 300 8049

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

Item 10 – CB/17/04959/OUT – Park Farm, Park Road, Westoning, Bedford, MK45 5LA.

***Additional Consultation/Publicity Responses**

Highways (Development Management)

The third paragraph in the consultation response (page 124) should read:

It should be noted that the AADT figures in this area are provided by the Department for Transport. Should a survey be provided (which had been previously requested) at the location of the proposed site and proves that the flow is less than 15,000 AADT we would be prepared to look again at the proposed T junction access to serve this development.

Highways (Development Management) - Further Response

Thank you for the re-consultation relating to this application for outline planning permission.

The additional information relates to the principles of whether the site should be considered with regards to the Design Manual for Roads and Bridges (DMRB) or Manual for Streets (MfS).

Given that the site access would be within a 30mph speed limit it is considered that the appropriate guidance is that contained within MfS and that a simple T junction access point is appropriate in this instance. A slight alteration to the highway alignment was previously agreed to on the previous application (even though this was withdrawn) and as such the same approach is accepted. It would appear from the Councils GIS system that the Council does appear to own a 2.5m of highway land north and south of the site access so it may be the case that the alignment is not required but a condition is provided for the access (although considered acceptable) to be re-looked at to see if the visibility splays can be provided within the highway boundary.

There is no fundamental highway safety or capacity reason to justify and sustain a highways objection to the principle of residential development on this site. The proposal was supported by a Transport Assessment that demonstrates that the traffic generation can be accommodated on the surrounding highway network.

A construction management plan would be provided should the application be approved at the reserved matters stage.

Conditions

1/ Notwithstanding the submitted details, development shall not begin until details of the junction between the proposed estate road and the highway (along with Manor Close) have been submitted and approved by the Local Planning Authority and no building shall be occupied until that junction has been constructed in accordance with the approved details.

Reason

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

2/ No other part of the development shall take place until the visibility splay dimensions at the junction of the access with the public highway shown on the approved drawing has been 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).

3/ 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.

4/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate vehicular turning areas for all service vehicles including a 11.5m long Refuse collection vehicle.

Reason

To enable vehicles to draw off and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway.

5/ The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason

To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued by the council.

1/ The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 278 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

2/ 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".

Planning Officer Comments

The response confirms that there is no fundamental highway safety or capacity reason to justify a highways objection, and that subject to conditions, the proposed access is acceptable.

***Additional Consultation/Publicity Responses**

Education

Financial contributions as follows are requested:

Early Years	£75,699.54
Lower	£252,331.80
Middle	£253,906.85
Upper	£311,357.03
Total	£893,295.22

The full Education response is in an Appendix to the Late Sheet.

Planning Officer Comments

Formal agreement from the Agent acting for the applicant has been sought for the above requests. Members will be updated at the Committee meeting of any comments received.

***Additional Consultation/Publicity Responses**

Westoning Parish Council

Please accept this letter as the formal response from Westoning Parish Council (WPC) detailing the community projects that require financial support should the appeal for the above application be allowed.

For the avoidance of doubt, WPC must make it clear that it is opposed to the development proposed by this application. While Westoning is a large village of some 2500 residents, it already faces the prospect of 2 large development sites being promoted through the Local Plan process. As the Local Plan is the appropriate way, and possibly the only way, in which Green Belt land should be released, the Park Farm site should have been promoted through the Local Plan process so that its merits could have been considered alongside other sites in the village and not through a speculative application. This application negates the strategic approach to planning that the Local Plan is supposed to ensure.

In January 2017 WPC held a public meeting attended by over 150 residents, to consider the response by the village to the prospect of development through the Local Plan. That meeting, while not inviting significant development in the village, accepted that some development may be imposed on the village. The unanimous view of that meeting was that any development in the village should not exceed 70 to 80 units which was considered to be the maximum that the village could assimilate successfully.

That meeting also identified a number of community benefits that should be conditional on any development being approved. These were:

- I) a new burial ground
- II) Two junior football pitches
- III) A new village hall
- IV) Associated access and parking for the above facilities

Although the applicant of the Park Farm site has sought to offer these facilities, WPC and the residents of Westoning, do not consider this site to be a suitable location for any of these facilities for a number of reasons including:

- e) the site is prone to flooding
- f) the site is adjacent to a water course
- g) the site is remote from the centre of the village
- h) development on this site would have a harmful effect on the openness of the Green Belt

In the unlikely event that the appeal for this application is allowed, financial contributions towards the costs of the following community facilities should be required:

- Refurbishment and expansion of Westoning Village Hall - £300,000
- Development of new burial ground - £150,000
- Drainage works and resurfacing of Westoning Recreation Ground to provide two junior football pitches - £150,000

Westoning Parish Council hopes to have an opportunity to expand on the above points at any hearing in public that may be held on this application.

Planning Officer Comments

The points raised in respect of the principle of development and the Green Belt are considered in Section 1 (Principle of Development and Impact on Green Belt and Countryside) of the Committee Report.

Formal agreement from the Agent acting for the applicant has been sought in respect of the requests for financial contributions. Members will be updated at the Committee meeting of any comments received.

***Additional Consultation/Publicity Responses**

Trustees of Westoning Village Hall

The Trustees of Westoning Village Hall acknowledge that the current hall has its limitations and is in need of modernisation but they cannot support a new hall in such an inaccessible position and with insufficient funding to make it deliverable. They therefore feel it is not appropriate to use the village hall to create 'special circumstances' for the benefit of this development in the Green Belt for the following reasons:

- Location not acceptable
- Parking inadequate
- Too remote from centre of village
- Pedestrian access unsuitable
- Vehicle access dangerous
- Proposed contribution inadequate

These points are elaborated upon below.

Poor pedestrian access - Pedestrian access from the centre of the village is along a long unlit alley making it unusable at night. Alternative pedestrian access is alongside the busy A5120 and the footpath becomes much narrower for the last 75m. It is likely that most people attending the proposed new village hall, even residents of the village, would use cars and all such journeys would add to the traffic on the busy A5120. This therefore clearly points to the location being inappropriate for a community building.

Insufficient parking spaces - The offer of 16 parking spaces shared with the burial ground is insufficient and there appears to be little opportunity for overspill parking within the new development. As well as obvious safety concerns, regular overspill parking on the new residential streets could lead to conflict with new residents and village halls rely on the support of their community. Central Bedfordshire Council recommends 1 car park space for every 5 sq m of floor space in village halls. The Design & Access Statement proposes that the new village hall will be 570 sq m which would require 114 parking spaces meaning the offer of 16 spaces is clearly woefully inadequate. The current village hall is in use practically every day and often by several different groups in a single day. Please look at our website to see the number of regular activities which take place, all of which are well attended. At weekends there are often

private parties, drama productions, etc. <http://www.westoningvillagehall.co.uk/regular-users>

Dangerous access onto the A5120 - Most activities in the village hall start after the morning peak time but afternoon sessions would mean cars joining the A5120 traffic during late afternoon peak time. Joining the A5120 from the proposed development will be very difficult unless the hedge is removed which doesn't seem to be in the proposal. Residents of Manor Close have told me that they always use the northern (village) end of their private road for access to the A5120 because the other end is too dangerous. I assume residents and visitors to the new development will not be able to use this safer option. Currently village hall users have two options to access the A5120, one via a roundabout and one (Church Road) where the nearby pedestrian crossing often helps provide a gap in the traffic.

Deliverability - It is understood that the appeal site is in the Green Belt, and that the offer of a plot for a village hall is key to the 'very special circumstances' argument, where residential development would otherwise be inappropriate. Notwithstanding comments above highlighting that this is considered to be an inappropriate place, there are concerns about the deliverability of the facility. Whilst the developer is offering a contribution towards construction, this is clearly not sufficient to build the hall. With no other mechanism or known funding streams available, genuine concerns can be raised about ultimate deliverability. This, in turn, undermines the very special circumstance argument.

In summary, as a result of clear issues relating to both practicality and principle, we would request that the Inspector notes our objection to the provision of a site for a village hall within the current appeal scheme. Representatives of the Westoning Village Hall Committee hope to be able to attend the hearing.

Planning Officer Comments

The points raised in respect of a new village hall in the application site and whether this is a 'special circumstance' are considered in Section 1 (Principle of Development and Impact on Green Belt and Countryside) of the Committee Report.

***Additional Comments**

- Text is missing from paragraph 1.14 (page 153). It should start with the words:

As stated, the site is

- Text is missing from paragraph 1.16 (page 153). It should read:

Overall, in view of the above, the proposed development would be inappropriate in, and therefore harmful to, the Green Belt and countryside, detrimental to openness and visual amenity. It would also be contrary to the Green Belt purpose of safeguarding the countryside from encroachment. Therefore in the absence of any factors which could amount to very special circumstances, the principle of development is unacceptable. The proposal is therefore contrary to Section 13 (Protecting Green Belt land) of the NPPF and Policy DM4 of the CSDMP.

- The first recommended reason for refusal (page 158) is amended to read:

The proposed development represents inappropriate development within the Green Belt, which is, by definition, harmful to the Green Belt. The proposal would be detrimental to the openness and visual amenity of the Green Belt, and comprises an encroachment into the countryside. No factors or combination of factors clearly outweigh the harm to the Green Belt, and other harm, to comprise very special circumstances. The proposal is therefore contrary to Section 13 (Protecting Green Belt land) of the National Planning Policy Framework (NPPF), July 2018.

- The NPPF references in the third and fourth recommended reasons for refusal should be July 2018, not March 2018.

Item 11 – CB/18/04183/OUT – Land East of No. 13 Clophill Road, Maulden, Bedford, MK45 2AQ.

Consultation/Publicity Responses

No Further comments to report

Additional Comments

During the production of the Committee agenda, the planning appeal decision letter relating to this case was omitted from the report. This is now attached as an Appendix A. In addition a recent appeal decision which is located to the east of the application site has been upheld and approval granted for residential development a plan and a copy of the appeal decision letter is attached as Appendix B.

Additional/Amended Conditions

None.

Item 12 – CB/18/01651/RM – Harlington Station Yard, Station Road, Harlington.

Additional Consultation/Publicity Responses

Two additional neighbour consultation responses have been received and the following points are raised:

- Balconies and 3 storey scale would result in excess overlooking to neighbouring properties;
- Trees would not provide adequate screening;
- Previous planning applications for taller buildings have been rejected;
- Access is insufficient and would result in safety issues;

- Construction work would lead to noise and safety issues;
- Insufficient consultation;
- Elevated position of development would result in a towering effect;
- Insufficient level of affordable housing provided;
- Documents do not address concerns raised by Network Rail or the Fire and Rescue Service;
- Street Scene and Site Sections are misleading;
- Residential location of Committee Members has been considered and Members are asked to consider how they would feel if a flatted development was provided adjacent to their properties;
- The development should be reconsidered so that it provides greater benefit to local residents.

Additional Comments

A revised layout plan (18-3456-10B) has been provided that annotates the potential location for a pedestrian link to the station. No other changes are shown on the location plan.

Additional/Amended Conditions

Condition 1 to be altered as follows:

Delete 18-03456-10A and replace with 18-3456-10B.

Condition 3 - A trigger point for submitting the details to the local planning authority is missing. It should start with the words:

Prior to occupation

The following informative should be added:

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.

Item 13 – CB/18/03698/RM – 9 Silsoe Road, Maulden, Bedford, MK45 2AX.

Additional Consultation/Publicity Responses

Maulden Parish Council raised issues on the width of the access road to the proposal 4.45 metres opposed to 4.5 metres shown on the plans and through condition. The Parish Council has also questioned where the location of the bin collection point would be.

Additional Comments

Due to the difference in width of the access measuring 5cm, this discrepancy is considered *deminimus*. The location of a refuse collection point and a condition to require one as part of this permission is not considered necessary to make the application acceptable in the planning terms.

Additional/Amended Conditions

None

Item 14 – CB/18/04383/FULL – Manor Farm, Watling Street, Kensworth, Dunstable, LU6 3QU.

***Additional Consultation/Publicity Responses**

Trees and Landscape

In response to this application, I refer to my previous pre-application consultation in respect of CB/18/03052/PAPC, which has been duplicated below in italics:

I have examined the plans and documents and documents associated with this Pre-Application, and also refer to my previous consultation responses in respect of this site. There will be a requirement to reinforce the boundary planting with the A5, as the existing hedge along this boundary will do little to screen any new storage area. I have reservations that trees being planted in containers within the site will not be properly looked after, as the degree of watering required for these will be significant, and such containers are also likely to be subject to machinery damage.

I still have reservations that despite the proposed planting, the storage area could not be effectively screened to a standard befitting of its Greenbelt location, and that I would therefore be reluctant to sanction the proposal.

Planning Officer Comments

The Trees and Landscape response refers to the inability of the proposed planting to effectively screen the storage area. This is reflective of the concerns raised in Section 1 (Principle of Development and Impact on Green Belt, AONB and AGLV) of the Committee Report in terms of the proposal being detrimental to the openness and visual amenity of the Green Belt.

Additional/Amended Conditions

None

***Additional Comments**

- Text is missing from the third paragraph in the Reason for Recommendation (page 221). It should read:

Furthermore, the proposed change of use would be to the detriment of the countryside and would fail to conserve or enhance the landscape and scenic beauty of AONB. It would also adversely affect the landscape character and setting of the AGLV.

- The date of pre-application CB/18/03052/PAPC in the Relevant Planning History (page 224) is 2018, not 2017.

- The word 'not' is missing between 'does' and 'meet' in the fourth paragraph in the Highways (Development Management) consultation response (page 225).

- Text is missing from paragraph 1.10 (page 231). It should read:

Paragraph 170 of the NPPF, 2018 states that 'planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside....' Paragraph 172 states that, 'Great weight should be given to conserving and enhancing landscape and scenic beauty in areas including AONBs, which have the highest status of protection in relation to these issues'. Also Policy NE3 (Control of Development in the Areas of Great Landscape Value (AGLV)) of the SBLPR states that a proposal can only be considered acceptable if it does not 'adversely affect the landscape character and setting of the area'.

- The distances in paragraph 2.1 (page 232) are incorrect. They should be 45m distant for New Lodge (not 90m) and 40m distant for Red Cow Farm (not 70m).

- Text is missing from the second recommended reason for refusal (page 234). It should read:

The application site is in the Chilterns Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The proposed development would be to the detriment of the countryside and would fail to conserve or enhance the landscape and scenic beauty of the AONB. It would also adversely affect the landscape character and setting of the AGLV. The proposal is therefore contrary to Policy NE3 of the South Bedfordshire Local Plan Review, and Section 16 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (NPPF), July 2018.

Item 15 – CB/18/04058/FULL – Tree Tops, 13 West Hill, Aspley Guise, Milton Keynes, MK17 8DP.

Additional Consultation/Publicity Responses

Additional response received from immediate neighbour which includes the provision of two photographs taken from the neighbour's shower room showing a view of users of the platform.

Additional Comments

In response to the neighbour's additional response the photographs received have been received by Planning Officers previously.

Since the publication of the officers report a bamboo privacy screen has been erected by the applicant adjacent to the raised platform. This has not been included in this current application and would have to be processed and assessed via a separate application.

Additional/Amended Conditions

None.

ITEM 10 - APPENDIX

PLANNING OBLIGATION PRO FORMA – Park Farm, Park Road, Westoning, Bedford, MK45 5LA, CB/17/04959/OUT

Please complete the following table to allow full consideration of the statutory tests for obligations, that they should be:

- Necessary to make the development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind to the development

<p>RELEVANT STRATEGY, PLANNING POLICY, DOCUMENT OR GUIDANCE</p> <p>NOT Planning Obs SPD</p>	<p>WHAT ARE THE ADDITIONAL DEMANDS ON FACILITIES LIKELY TO ARISE FROM DEVELOPMENT</p>	<p>WHAT ARE THE EXISTING FACILITIES AND HOW ARE THESE ABLE OR UNABLE TO MEET THE ADDITIONAL DEMANDS</p>	<p>METHODOLOGY FOR CALCULATING ANY FINANCIAL CONTRIBUTION NECESSARY TO IMPROVE EXISTING OR PROVIDE NEW FACILITIES</p>	<p>DETAILS OF FACILITIES OR INFRASTRUCTURE ON WHICH CONTRIBUTION WILL BE SPENT</p>
<p>The 2017 School Organisation Plan (SOP) which can be found at:</p> <p>http://www.centralbedfordshire.gov.uk/school/organisation/plan.aspx</p> <p>The forecasts within the SOP take into account the impact of the new housing identified within the CBC SHLAA</p>	<p>73 dwellings will produce a pupil yield of 4.38 (5) children per yeargroup, based on the assumption of 0.06 pupils per yeargroup per dwelling. Executive agreed an increase in the pupil yield formula from 0.04 to 0.06 at its meeting on 1 August 2017, to</p>	<p>The development falls within the catchment area for Westoning Lower School, Arnold Academy and Harlington Upper. The lower school is unlikely to be able to manage the impact of this development without expansion and the pupil forecasts within the School Organisation Plan are showing a need for additional middle and upper school places in the area.</p>	<p>The methodology used to understand the level of contribution required from any development over 10 dwellings is as follows:</p> <p><i>Pupil yield (assessed as 0.06 pupils per dwelling, per yeargroup) * 2009 DfE cost multiplier (inclusive of a location factor)</i></p> <p>The use of DfE multipliers to understand the cost per pupil place is an approach taken by a number of local authorities, and allows for the total financial contribution to be fairly and reasonably related in scale and kind to the development.</p>	<p>Early years contribution</p> <p>The early years contribution would go towards a project at Merry Poppets In Westoning</p> <p>Lower school contributions:</p> <p>The lower school contribution would help fund a project Westoning Lower School.</p> <p>Middle school contributions</p> <p>The middle school contribution would go towards the project identified for Arnold Middle, to create additional</p>

	<p>reflect the actual yields experienced on housing development across Central Bedfordshire</p>		<p>EY/Lower =£11,522per pupil place Middle = £14,492 per pupil place Upper = £17,772 per pupil place</p> <p>Total financial contribution:</p> <table data-bbox="1075 430 1456 630"> <tr> <td>EY</td> <td>£75,699.54</td> </tr> <tr> <td>Lower</td> <td>£252,331.80</td> </tr> <tr> <td>Middle</td> <td>£253,906.85</td> </tr> <tr> <td>Upper</td> <td>£311,357.03</td> </tr> <tr> <td>Total</td> <td>£893,295.22</td> </tr> </table> <p>A reduction for 1 bed properties and 2 bed flats can be applied to the contribution shown above, once the final dwelling mix is known.</p>	EY	£75,699.54	Lower	£252,331.80	Middle	£253,906.85	Upper	£311,357.03	Total	£893,295.22	<p>capacity at the school from September 2018.</p> <p>Upper school contributions</p> <p>The upper school contribution would go towards a project to increase the capacity of Harlington Upper School.</p>
EY	£75,699.54													
Lower	£252,331.80													
Middle	£253,906.85													
Upper	£311,357.03													
Total	£893,295.22													

Appeal Decision

Site visit made on 14 August 2018

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2018

Appeal Ref: APP/P0240/W/18/3194555

Land East of 13 Clophill Road, Maulden, Bedfordshire MK45 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Aldbury Homes against Central Bedfordshire Council.
 - The application Ref CB/17/01156/OUT, is dated 8 March 2017.
 - The development proposed is the residential development on land north of Clophill Road, Maulden including other associated works.
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Decision

1. The appeal is dismissed and planning permission for the residential development on land north of Clophill Road, Maulden including other associated works is refused.

Application for costs

2. An application for costs was made by Aldbury Homes against Central Bedfordshire Council. This application is the subject of a separate Decision.

Procedural Matters

3. The appeal proposal was submitted in outline with the means of access being considered at the outline stage. Notwithstanding that, an indicative site layout plan which shows 14 dwellings and an indicative street scene have also been submitted which show a way in which the site could be developed. However, with the exception of the means of access on the site layout plan, I have treated these plans as a possible way of developing the site.
4. I have also noted that the Appellant and the Council agreed a revised description of development during the course of the consideration of the application and I have determined the appeal on this basis.
5. Since the determination of the appeal application, the National Planning Policy Framework published in 2012 has been replaced, with the new version being published in July 2018 (the 2018 Framework). I have invited further representations from the Council and the Appellant on this specific matter.
6. Paragraph 212 of the 2018 Framework outlines that the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication. I have therefore determined the appeal with this in mind.

Main Issues

7. The main issues are the effect of the proposal on the character and appearance of the area and whether the development would provide affordable housing.

Reasons*Character and appearance*

8. The appeal site is located on the north side of Clophill Road to the east of the main part of the village of Maulden. To the east of the site lies a cul-de-sac of further residential development, whilst to the north is open fields.
9. The Central Bedfordshire Core Strategy and Development Management Policies (2009) (CSDMP) sets out a hierarchy for development across the area with the majority of development being directed to the major and minor services centres within defined settlement envelopes. Policy CS1 of the CSDMP defines the main part of Maulden as a large village, and the Clophill Road (Maulden Green End) element as a small village in the settlement hierarchy.
10. From the evidence before me, Maulden has two settlement envelope areas (Maulden main village and Maulden Green End). The appeal site is located between the two settlement envelopes and is therefore located, in planning policy terms, in the countryside. My attention has also been drawn to policy CG8 of the emerging new Local Plan for Central Bedfordshire which designates the land between Maulden main village and Maulden Green End as an important countryside gap. However, as acknowledged by the Council, given that the new Plan has yet to have its examination completed I can only give this limited weight.
11. Policy DM4 of the CSDMP principally deals with development within settlement envelopes. However, I acknowledge that it is also titled to refer to land beyond settlement envelopes. Notwithstanding that, the only reference within the policy to land beyond the settlement envelope relates to "*where no land is available within the settlement, a site adjacent to the settlement may be granted planning permission. Such development should make the best use of available land and lead to more sustainable communities*".
12. I am also conscious of the supporting text to Policy DM4, which sets out that the settlement envelopes have been defined to enable the clear, unambiguous and consistent application of policies in the control of development. It also states that they are not an attempt to define the extent of a particular town or village community and also seek to prevent coalescence between settlements.
13. To my mind, policy DM4 does not explicitly prevent development outside of the defined village envelope, which is largely drawn tightly around the existing built up area. It is also clear that the development would make best use of the available land and would lead to a more sustainable community through additional residents to support the local facilities in Maulden and surrounding villages.
14. Furthermore, the existing built form along Clophill Road is largely ribbon development, particularly within Maulden Green End. To my mind, the development of the appeal site would have a very similar character to the existing built form and would not result in any significant harm to the overall character and appearance of the area.

15. It is also noted that the Council consider that the development would not result in the coalescence of different settlements. Whilst the erection of dwellings would result in the development of land between the two parts of Maulden, the low density of the proposal would not lead to any significant harm in this respect. In coming to that view, I acknowledge that the development of a greenfield site would inevitably have some impact on the rural character of the area. However, this would apply to the development of any greenfield site.
16. The Council have also referred to Policies CS14 and DM3 of the CSDMP which require new developments to provide a high quality development which respects the local context and distinctiveness of the area and ensure that the landscape quality of the area is conserved and enhanced.
17. The exact layout, design and landscaping of the site would be considered as part of the submission of reserved matters should I be minded to allow the appeal. Given the amount of development proposed, it would be possible to provide a suitable layout and design which would respect its local context and distinctiveness.
18. Taking all of the above into account, the development would not give rise to any significant harm to the character and appearance of the area.
19. For the above reasons, the development would be broadly consistent with aims and objectives of Policies CS1, CS14, DM3 and DM4 of the CSDMP which amongst other matters seek to ensure that new development is of a high quality, conserves and enhances the local character of the area. It would also accord with the overarching aims of the 2018 Framework.

Affordable Housing

20. Policy CS7 of the CSDMP sets out that for a development of this size at least 35% or more of the residential units should be affordable. It is common ground between the main parties that the development should make provision for affordable housing and I have no reason to disagree with that view. With that in mind, the Appellant has drafted a Unilateral Undertaking.
21. However, the Undertaking before me is undated and therefore incomplete. Even if this was not the case, the undertaking defines the planning permission as being granted by the Council, and that the deed shall only come into effect on the commencement date following the grant of planning permission. In the event that I allow this appeal, the planning permission would not be granted by the Council and therefore the deed would not come into force.
22. Taking the above into account, the Undertaking would not secure the delivery of much needed affordable housing. In the absence of any mechanism to deliver the affordable housing the proposal would be clearly contrary to Policy CS7 of the CSDMP and the 2018 Framework.

Planning Balance

23. The Council consider that they can demonstrate a supply of housing which equates to 5.81 years (at 1 April 2018) although this is disputed by the Appellant particularly when considered against the 2018 Framework.
24. Both the Appellant and the Council have made reference to various appeal decisions some of which have concluded that the Council do not have a five

- year supply of housing and some of which conclude that there is such a supply¹. From the information before me, it is unclear whether the Council can demonstrate a deliverable 5 year supply of housing.
25. On the assumption that the Council cannot demonstrate such a supply, the 2018 Framework indicates that planning decisions should apply a presumption of sustainable development. For decision taking, where Development Plan policies which are the most important for determining the application are out of date², permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the 2018 Framework taken as a whole.
26. In this case, I have found that proposal would not make provision for the delivery of much needed affordable housing. This factor weighs heavily against allowing the proposed development.
27. Notwithstanding that, the development would still give rise to some minor social benefits in that it would provide much needed additional housing. The development would also bring some minor economic benefits through the construction process and the potential to support local facilities. These matters are in favour of the proposed development.
28. The indicative plans submitted show that the development of the site would provide 14 new dwellings, although given the outline nature of the proposal that number may be higher. The development of the site with new dwellings would clearly contribute towards housing land supply in Central Bedfordshire. However, the benefit of such housing is severely diminished by the lack of provision of affordable housing.
29. Against this background, the harm identified significantly and demonstrably outweighs the benefits when assessed against the policies in the 2018 Framework when taken as a whole. The proposal cannot therefore be considered to be sustainable development.

Conclusion

30. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR

¹ Including APP/P0240/W/17/3152707 dated 20 November 2017; APP/P0240/W/17/3176444 dated 3 January 2018; APP/P0240/W/17/3176387 dated 9 July 2018; APP/P0240/W/17/3181269 dated 20 March 2018; APP/P0240/W/17/3170248 and APP/P0240/W/17/3172143 dated 12 April 2018.

² Footnote 7 includes situations where the local planning authority cannot demonstrate five year supply of deliverable housing sites.



Appeal Decision

Hearing Held on 7 November 2018

Site visit made on 8 November 2018

by Hywel Wyn Jones BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2019

Appeal Ref: APP/P0240/W/18/3208772

Old Farm, Clophill Road, Maulden, Bedford, MK45 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Resolved Developments (now Caddick Land) against the decision of Central Bedfordshire Council.
 - The application (ref: CB/18/00435/OUT), dated 1 February 2018, was refused by notice dated 16 July 2018.
 - The development proposed is residential development of up to 49 dwellings (including affordable housing).
-

Decision

1. The appeal is allowed and planning permission is granted for residential development of up to 49 dwellings (including affordable housing) at Old Farm, Clophill Road, Maulden, Bedford, MK45 2AA in accordance with the terms of the application, (ref: CB/18/00435/OUT), dated 1 February 2018, subject to the conditions set out in the Schedule to this decision.

Preliminary and Procedural Matters

2. The application seeks outline planning permission with all matters, save for access, reserved for future consideration. The appellant has confirmed that the layout plan details are illustrative and intended to show how the development could be undertaken. I have treated the details on that basis.
3. At the outset of the hearing the appellant withdrew an appeal¹ against an earlier refusal of permission for substantively the same development on the appeal site. Given the similarity between the schemes I have taken into account representations received in response to the earlier scheme in my consideration of the appeal before me. This includes, at the Council's request, its earlier statement of case and addendum.
4. I carried out an accompanied visit to the site and the surrounding area, including 2 public rights of way, in the presence of representatives of the main parties and the local community. I carried out unaccompanied visits to the surrounding area on the same and previous day.
5. Shortly before the hearing the main parties presented appeal decisions which were considered relevant to the issue of housing land supply. On that basis the

¹ APP/P0240/W/17/3187722

appellant altered its previously agreed position with the Council, to a position that the Council did not have a 5 year supply. As agreed with the parties the hearing dealt with all other matters but was adjourned to allow further consideration of housing supply. In accordance with an agreed timetable the main parties subsequently produced a Statement of Common Ground and Statements of Case dealing with this issue. Having determined that I had sufficient information to enable me to understand the parties' respective positions and to determine the appeal I subsequently closed the hearing in writing.

6. A duly executed s106 agreement has been submitted which undertakes to provide financial contributions to education, a play area and outdoor sport, makes provision for on-site affordable housing and open space, and provides for ecological management, the protection of a heritage asset and creation of a permissive footpath.
7. In July 2018 a new version of the National Planning Policy Framework was published. Whilst this is after the Council's determination of the planning application the parties have been able to address the latest version in their appeal submissions.

Planning Policy

8. The Council has relied on the Central Bedfordshire Core Strategy and Development Management Policies (November 2009) ('the Core Strategy') as the relevant development plan in its determination of the application.
9. An examination of the Council's Emerging Local Plan (ELP) has been suspended to allow additional evidence on matters including heritage, landscape and transport mitigation. The Council advises that no date has yet been set for the hearing sessions. The parties agree that, in line with paragraph 48 of the Framework that limited weight can be attached to the plan. I concur and rely on the Core Strategy in my decision in line with the approach taken by the main parties in their evidence.

Main Issues

10. The main issues are the effect of the proposed development on: the character and appearance of the settlement and the surrounding landscape; biodiversity; and heritage assets.

Reasons

Character and appearance

11. The appeal site fronts Clophill Road. It is gently sloping, open pasture land which is mostly bounded on both sides and along its roadside frontage with mature hedgerows. The rear boundary of the site is presently undefined beyond which there are fields on rising ground which are crossed by a public footpath and which extend towards the steeply sloping and mainly wooded Greensand Ridge. A short distance to the north of the site lies a complex of farm buildings and a farmhouse at Old Farm and former barns converted to residential use all of which are served by an access lane which crosses the appeal site in the position of the scheme's proposed access.

12. To the west of the site lies a group of commercial units and housing that includes a modern residential cul-de-sac. The eastern boundary is defined by a hedgerow and trees bounding Green Lane. On the other side of this narrow highway lies a site currently being developed for 5 houses fronting Clophill Road which adjoin a row of houses. On the opposite side of the road to the site there is a virtually unbroken row of closely spaced, two-storey houses fronting the road.
13. To the west of the site and extending northwards from the existing commercial units to a point that roughly aligns with the position of the Old Farm complex lies a presently open area of land allocated for employment use in the Core Strategy (EA7) as an extension to the existing business park. The Council proposes to maintain the allocation in its emerging plan. The development of this site would be markedly closer to the Greensand Ridge than the appeal site.
14. I have had regard to the appellant's Landscape and Visual Impact Assessment which has been undertaken with regard to the relevant guidance, alongside the other evidence presented to me in writing together with that gleaned during the hearing including my visit to the site and its surroundings.
15. The Council confirms that the site lies within the Greensand National Landscape Character Area. At a more fine-grained level and based on my site visit, I agree with the appellant's landscape witness that the site lies within a different landscape zone to the land to the north of the nearest public footpath. The latter forms part of the attractive, distinctive topography of the Greensand Ridge landscape which has a more natural appearance whereas the site lies within unremarkable farmland framed by the built form of the village. Thus I do not share the Council's opinion the site lies within a valued landscape for the purposes of paragraph 170 of the Framework. Indeed given the scope of the scheme to improve landscaping between the built form and surrounding countryside I consider that the scheme would have a positive effect on the surrounding landscape, in line with DM14, once the necessary planting becomes established. My attention is drawn to a dismissed appeal² for housing within the same Landscape Character Area. Whilst I do not have the details of that scheme, as the Inspector found harm to landscape character it is distinguishable from the case before me.
16. Views of the attractive Greensand Ridge from Clophill Road over the appeal site are presently very limited because of the screening offered by tall roadside vegetation. Whilst more distant views are available along a narrow vista from the present access a row of ornamental trees focus attention towards Old Farm complex. At the site visit the Council acknowledged that this tree-lined avenue did not reflect the character of the surrounding countryside.
17. Both main parties agree that views of the development from the public footpaths to the north are important vantage points. The elevated position of the routes offers extensive views of the countryside, including Greensand Ridge, from those sections which are not screened by trees. The paths are popular and valued routes within the local network. The more distant of the 2 routes, the Greensand Ridge Walk, provides a long distance walk across Bedfordshire. My visit demonstrated that from these vantage points the site is presently seen in the context of the development that flanks it, and more significantly, the row of two storey houses on the other side of Clophill Road.

² APP/P0240/W/16/3152707

The domestic character of the converted barns and their large rear gardens at Old Farm is also readily noticeable from a significant length of the closer of the 2 footpath routes. I acknowledge that the proposed development would be closer and at a slightly higher elevation than the existing built form. However, given the separation distance and the scope to control the layout and design of the dwellings and the landscaping works, I find that the scheme would not have an unacceptable effect on the character and appearance of the area from this direction.

18. My visit indicated that there would be need to remove or reposition a section of the roadside hedgerow to provide a visibility splay for the access. Despite this the scheme would largely retain the visual effect of this landscape feature and would maintain the present balance along the road between the built form and the more natural features. The scheme makes provision to open up and thereafter maintain northward views which are considered important by the Council by providing an area of open space around the access route, and removing the existing avenue of trees. Subject to careful consideration of the details I am satisfied that the scheme would not have a harmful impact on the character or appearance of the area from this direction once landscaping works become established.
19. The benefits to visual receptors of the landscape of opening up of views from Clophill Road would be supplement by benefits associated with the proposed creation of a footpath link from the road, through the site, to the existing footpath to the north. This proposed route would be secured through an obligation included in the s106 agreement as would the provision of the area of open space. The scheme also proposes landscaping works and wildlife habitats. It would provide an attractive place to live and visit and would align with the aims of policies CS17 and DM16 which promote green infrastructure.
20. In terms of the importance to be attached to the site as an open area I note that the ELP does not include it as a proposed Important Countryside Gap designation under policy CG8. This designation extends over undeveloped land to both the west and east of the built up areas that flank the site. The Council decided not to allocate the site for development in the ELP on the basis that it was considered to be an unsustainable extension but suggested that some of the road frontage may be suitable for development.
21. I now turn to concerns over the impact on the character of the built form. Whilst it appears that much of the older housing development in the vicinity, as typified on the opposite side of the road to the appeal site, is linear frontage development, there is more recent housing that has evolved that pattern to a more varied layout. I do not find that such development, which forms part of the area's character, is harmful. The scheme, which the indicative layout shows could be informally laid out with generous open spaces, would not appear discordant with the present character of the built form. I have already described how the appeal scheme would retain most of the roadside hedgerow thereby preserving to a significant extent the present roadside appearance of the site.
22. In reaching a view on the acceptability of developing this site I have taken into account a recent appeal decision³ brought to my attention by a local Member of the Council at the hearing. The site in question lies to the west of the cluster

³ APP/P0240/W/18/3194555

- of development immediately west of the present appeal site. That site, referred to as 'land east of No. 13 Clophill Road', and the land on the opposite side of the road are undeveloped and are included in the ELP's proposed Important Countryside Gap designation. In that appeal the Inspector found that the scheme would not give rise to any significant harm to the area's character or appearance. The appeal was dismissed solely because of the absence of a necessary contribution towards much needed affordable housing.
23. The appellant also draws my attention to a relatively recent decision made by the Council to approve an application for 25 dwellings on a site adjacent to Nos 129A and 131 Clophill Road. It is evident that many of the issues raised in that proposal are similar to those before me, but that the Council in that case found the scheme acceptable.
24. The site lies outside the settlement envelope identified in the Maulden/Clophill Inset 36 plan. The Council cites Core Strategy policy DM4, Settlement Envelopes, in its first reason for refusal which deals with the site's open countryside location and harm to the area's character and appearance. For reasons I have already set out I find that it does not cause such harm. Whilst the site is outside the identified village envelope it is surrounded on 3 sides by the built form of the village. DM4 is capable of bearing more than one meaning as evidenced by the parties' differing interpretations. The envelopes were drawn without knowledge of the plan's overall development requirements and distinguish between areas of built development and the countryside. The subsequent Central Bedfordshire Site Allocations DPD identifies development sites outside these limits and the Council confirmed that it has approved appropriate windfall schemes outside the envelopes. The Inspector in the case to the east of No. 13 found that the policy does not purport to prevent development outside its boundaries explaining that 'where no land is available within the settlement, a site adjacent to the settlement may be granted planning permission'.
25. As the parties point out there is a degree of inconsistency in the way policy DM4 has been interpreted in the recent appeal decisions brought to my attention. I share the view taken by an Inspector in the Potton case⁴ that as the policy seeks to protect the totality of the countryside from development rather than valued landscapes it is not fully consistent with the Framework (paragraph 170) but is capable of attracting moderate weight. I find that the site specific considerations in this case mean that the protective provisions of DM4 are not harmed by the scheme. In the circumstances I attach less than moderate weight to the policy and find that the site's location outside the village envelope does not alter my findings on the acceptability of the scheme in relation to the first main issue.
26. On this main issue I find that the proposed development would not cause unacceptable harm to the character or appearance of the area, subject to matters that are reserved for subsequent approval being sensitively designed. On this basis, and given that for reasons I explain below I find the effect on biodiversity and heritage assets to be acceptable, I consider that the scheme's effect on the landscape to be acceptable. Thus the scheme does not conflict with Policies CS16 or DM14 that seek to protect the landscape and aligns with CS17 and DM16 in its promotion of green infrastructure. Given the scope to

⁴ APP/P0240/W/17/3190687

control details at the reserved matters stage the scheme would not conflict with policies CS14 and DM3 which seek to secure high quality development.

Biodiversity

27. The site lies within the Greensand Ridge Nature Improvement Area and the Council explains that the floristic quality of the site is unusual and opines that it would meet the criteria for designation as a County Wildlife Site. Through a countryside stewardship programme there are presently controls over the way the land is used, thereby protecting its ecological value. The appellant suggests that the ecological value of the site could be harmed by a future change in farming practices, but it was acknowledged that there is no reason to believe that such changes are likely to arise in the foreseeable future, other than the risk of increased intensity of the present use that could give rise to issues of damage through over-grazing.
28. The scheme does offer ecological benefits through the s106 agreement to which I attach significant weight. These include bat boxes/tubes on new buildings; bird boxes; positive ecological management particularly with regard to the creation/replacement of species rich grassland; and a wildlife corridor is to be provided along the east boundary of the site. To compensate for the loss of some 2.57ha of semi-improved grassland the s106 agreement offers an ecological management plan for the remaining 12.91ha of the holding which would include improving grassland and increasing the length of hedgerow by some 543m. There is disagreement over the time taken for improvements to be realised, but I consider that even if that period is closer to the 10 years suggested by the Council the scheme would secure a net gain in terms of biodiversity.
29. The main parties agree that the scheme would not harm any designated ecological sites, acknowledging that there are Sites of Special Scientific Interest (SSSI) in the vicinity. There is also agreement that that the scheme would not harm the conservation status of the local population of dormice which have a habitat within the Maulden Woods SSSI which is some 700m distant.
30. To protect lizards that use a spoil heap on the site it is proposed to translocate them to the wildlife corridor. Concerns have been raised over the proposed corridor, which it is proposed to protect by a chain-link fence from the site, in terms of predation and connectivity in relation to several species including dormice and badgers. Such matters can be adequately addressed as part of a refinement of the ecological management plan included in the s106 agreement and the requirement, through planning condition, for an ecological enhancement strategy to be agreed with the Council.
31. In response to a matter raised at the hearing by Ms Raven of the Greensand Trust, I acknowledge the potential for new residents give rise to the potential for increased recreational visits to nearby SSSIs over which there is public access. However there is no evidence before me to indicate that this would be likely to be to an extent that would be damaging. At the hearing a local resident raised concern over the effect on bats. I am satisfied with the appellant's explanation that a bat survey was not necessary in this case and that the scheme would make adequate provision for bats that may use the site.

32. On this main issue I conclude that the scheme would provide a net gain for biodiversity and thus accords with the provisions of the paragraphs 170 and 175 of the Framework.

Heritage Assets

33. My visit confirmed that the historic ridge and furrow earthwork profile continues to be clearly discernible within the western portion of the site, and extends northwards beyond the limits of the proposed development. My visit indicated that the features did not appear to be appreciably more preserved within the appeal site than the adjacent area to the north.
34. In Bedfordshire ridge and furrow features have become increasingly rare, particularly as a consequence of modern agricultural practice, especially deep ploughing associated with arable farming. The feature has a high significance rating using the Selected Heritage Inventory for Natural England. It is a non-statutory historic asset of regional significance.
35. The appellant has provided a Ridge and Furrow Statement of Significance and Impact Assessment. I note the points of detail in this and other information provided by the appellant with which the Council takes exception but these do not, in my view, fundamentally undermine the assessment's findings. Having regard to paragraph 199 of the Framework the scheme proposes to preserve by record the historic value of the ridge and furrow feature which is held within the crust of top soil of the affected area. This would be secured by a planning condition. The s106 agreement makes provision to protect the feature within land in the appellant's ownership which is outside the development area by preventing its ploughing.
36. In addition to undertaking an assessment of the ridge and furrow feature the appellant has also carried out a magnetic survey of the site. Having regard to paragraph 189 of the Framework I consider that the assessment provided by the appellant on the effect on historic assets is a proportionate one having regard to the likely value of the site.
37. The Council suggests that within the eastern part of the site there may be the remnants of a medieval rabbit farming warren. Other than the existence of local names there is little other evidence to support the theory. The magnetic survey has revealed a circular feature for which there are several other plausible explanations. In any event the proposed illustrative layout shows how this area would be retained as an open space area and thus protected from development. In the circumstances I consider that any archaeological interest can be adequately addressed by a suitably worded condition.
38. On this final main issue I have taken into account paragraph 197 of the Framework which seeks a balanced judgement to be taken having regard to the scale of any harm or loss and the significance of non-designated heritage assets. I find that, taking into account the proposed protection measures, the scheme would not unacceptably impact on any heritage assets, and does not conflict with Policy CS15 of the Core Strategy.
39. In reaching the above finding I have borne in mind the proximity of the proposed development to the Maulden Conservation Area and several listed buildings. I share the opinion of the main parties that the scheme would not harm the setting of these designated assets.

Other Matters

40. There are bus stops on the road outside the site, and it is proposed to extend a roadside footway along the site frontage to facilitate a link to one of these. The frequency of the bus routes that pass the site and the accessibility by foot to some local services, including a lower school, a food store, church, public houses and a post office (noting that a post office closer to the site has recently closed) means that the scheme performs reasonably well in terms of sustainable transport, as the Council acknowledges. Future residents of the scheme are likely to support these local facilities thereby contributing to a more sustainable community, which is identified as an aim for development outside settlement envelopes in Policy DM4. Taking into account the contributions provided through the s106 agreement, I am satisfied that the scheme would not unacceptably impact on local services and infrastructure.
41. The site lies within agricultural land classed as best and most versatile which paragraph 170 of the Framework explains has economic and other benefits as part of the natural environment. The Council confirmed that a significant proportion of land within its administrative boundary falls within this higher agricultural land classification. In the circumstances, I agree with it that this consideration does not warrant withholding permission for the scheme.
42. Local residents express highway safety concerns. Noting that the Council raises no such concerns subject to the imposition of a condition, I am satisfied that the scheme is acceptable in this respect.
43. I have noted local concern that permitting this proposal would set a precedent for further development, however my decision is based on the specific merits of this case. Other proposals would have to be judged on their individual merits, in the context of prevailing development plan policies.
44. The evidence provided by the parties after the hearing demonstrates a disagreement over whether the Council can demonstrate a 5 year housing land supply, having regard to the relevant provisions of the Framework. However, given that I have found the scheme acceptable in relation to the above main issues, as was agreed by the parties at the hearing, it follows that I do not need to reach a finding on the issue of housing land supply.

Conditions and Obligations*Conditions*

45. The main parties agreed a list of suggested conditions in advance of the hearing as set out in the signed version of the first Statement of Common Ground. These formed the basis of discussion at the event. In imposing conditions I have had regard to the Framework and the Planning Practice Guidance.
46. In addition to the standard conditions controlling the commencement of work and the submission of reserved matters I consider it reasonable to require the details to broadly conform to those provided in the indicative masterplan given the importance of such details in avoiding harmful impacts in relation to those matters relevant to the main issues of this case.
47. As agreed at the hearing I have amended the suggested wording of the condition requiring the access to be constructed prior to the occupation of any

dwelling; given that access is not a reserved matter but that the full details of the work have not been provided I shall impose a requirement to submit such details prior to the commencement of the development. For reasons already explained I agree with the parties that a condition requiring an ecological enhancement strategy is necessary. To ensure adequate control over the timing of environmental management works I also agree that a condition to this effect is needed. A condition requiring the provision of visibility splays is also necessary to ensure the safety of highway users. I shall not impose the suggested condition dealing with the finished levels of the development as it is a detail that be dealt with at reserved matters stage.

48. In response to the previous deposit of rubble on the site a condition to deal with potential land contamination is necessary. For reasons already explained conditions requiring an archaeological investigation and the provision of a roadside footpath are necessary. Noting the concerns raised by local residents I agree that a condition to minimise the disruption caused by construction work is reasonable. A condition requiring approval of drainage details is required to avoid local flooding or pollution. Having regard to Core Strategy policies DM1 and DM2 I agree that it is reasonable to require a proportion of energy sources to be renewable or low carbon and for water efficiency measures to be provided.

Obligations

49. In addition to the provision of a permissive footpath, ecological mitigation and the protection of heritage assets to which I have already referred, the s106 also provides financial contributions to education, children's play area and outdoor sports, and makes provision for on-site informal open space and its future management. The Council has confirmed that none of the contributions would exceed the pooled limit imposed by Regulation 123 of the Community Infrastructure Levy Regulations 2010 (CIL).
50. The agreement includes a 35% contribution to affordable housing in line with policy CS7 of the Core Strategy, which the appellant confirmed at the hearing was economically viable in this case. Noting the concern expressed by local residents that recent new housing was too expensive for most locals to afford, this contribution to the supply of local affordable housing weighs in favour of the scheme.
51. The Council has confirmed that the contributions to infrastructure and affordable housing address the concerns set out in its third reason for refusal of the application. I am satisfied that the obligations accord with Policy CS2 and the Planning Obligations Supplementary Planning Document, are reasonable and necessary and in compliance with CIL Regulation 122 and the Framework. Accordingly I afford significant weight to all the obligations contained in the agreement.

Conclusions

52. For reasons I have already set out I find the effects of the scheme acceptable in all respects. It is thus not necessary to attribute particular weight to matters that are significant considerations in favour of the scheme, these are the contribution to the local housing stock, especially to affordable housing, and the economic benefits associated with the construction work and, thereafter, the local expenditure by future residents.

53. For the reasons set out above I conclude that the appeal should be allowed.

Hywel Wyn Jones

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The submission of reserved matters in respect of appearance, landscape, layout and scale for the development hereby permitted shall be in substantial accordance with the indicative masterplan reference: 1014.05.F (May 2018).
- 5) No development shall take place until details of the access layout arrangements have been submitted to and approved in writing by the Local Planning Authority. The site access shall be constructed in accordance with the approved details and brought into use prior to first occupation of any dwelling unless otherwise agreed in writing by the Local Planning Authority.
- 6) No development shall take place until schemes for the proposed method of surface water and sewage disposal have been submitted to and approved in writing by the Local Planning Authority. The schemes shall include details of the timetable for provision and future management and maintenance. The approved sewage disposal and surface water drainage facilities shall be constructed in accordance with the approved details before the development is first occupied and shall be retained and maintained thereafter in accordance with the schemes as approved.
- 7) No development shall take place until a risk-based land contamination assessment to determine the nature and extent of any contamination on the site has been carried out, in accordance with a methodology that has first been submitted to and approved in writing by the local planning authority. Should any unacceptable risks be found, a remedial scheme and verification plan shall be submitted to and approved in writing by the local planning authority. The remedial scheme shall be implemented as approved before development begins.

If, during the course of development, any contamination is found which has not previously been identified, additional measures to address it shall

be submitted to and approved in writing by the local planning authority and the additional measures shall be carried out as approved.

- 8) Prior to the commencement of development, the pre-construction works set out in the Environmental Management Plan dated June 2018 shall be implemented and then maintained during the construction phase in accordance with the approved details. On completion of the construction phase, the temporary construction fencing shall be removed and the operational phase works shall be implemented prior to the occupation of the first dwelling.
- 9) Part A: No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- i) A method statement for the preservation in situ of archaeological remains at the site;
- ii) A method statement for the investigation of all archaeological remains at the site that cannot be preserved in situ;
- iv) An outline strategy for post-excavation assessment, analysis and publication

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

- v) The completion of all elements of the archaeological fieldwork (including any measures for the preservation in situ of archaeological remains), which shall be monitored and signed off by the Archaeological Advisors to the Local Planning Authority;
 - vi) The submission within twelve months of the completion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority;
 - vii) The completion within three years of the conclusion of the archaeological fieldwork (unless otherwise agreed in advance in writing by the Local Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report.
- 10) No dwelling shall be occupied until visibility splays have been provided at the junction of the proposed estate roads with Clophill Road in accordance with the details provided on plan 47699PP-101. The minimum dimensions to provide the required splay lines shall be 2.4metres measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 90 metres measured from the centre line of the proposed estate road along the line of the channel of the public highway. The vision splays required shall be

provided and defined on the site and shall be maintained thereafter free of any obstructions to visibility.

- 11) Prior to occupation of the first dwelling the footpath along Clophill Road shown on plans 47699-PP-101 and 47699-PP-102 shall be provided and thereafter maintained.
- 12) No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
 - Construction Activities and Timing;
 - Plant and Equipment, including loading and unloading;
 - Construction traffic routes and points of access/egress to be used by construction vehicles;
 - On site provision for construction worker and contractor vehicle parking
 - Details of site compounds, offices and areas to be used for the storage of materials;
 - Details of on-site wheel cleaning facilities;
 - Dust mitigation and suppression measures;
 - A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as the bird nesting season);
 - Protection for all retained trees and landscaping;
 - Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;
 - Details for the monitoring and review of the construction process including traffic management (to include a review process of the CEMP during development).

The development shall then be carried out in accordance with the approved CEMP.

- 13) No above ground works comprising the erection of dwellinghouses shall commence until a scheme of measures to source 10% of the energy demand for the development from renewable or low carbon sources and to ensure the development achieves a water efficiency standard of 110 litres per person per day (105 litres for internal use plus 5 litres for external use). The scheme shall then be implemented in accordance with the approved details and shall continue to be implemented as long as any part of that phase of the development is occupied.
- 14) No development shall take place until an Ecological Enhancement Strategy (EES) has been submitted to and approved in writing by the local planning authority. The EES shall include the following:
 - a) Purpose and conservation objectives for the proposed works informed by a review of the ecological assessment.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.

- d) Extent and location/area of proposed works on appropriate scale plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.

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

APPEARANCES

FOR THE APPELLANT:

Ms A Beresford	Solicitor, Shulmans
Mr M Lane MRTPI	Director, DPP
Mr M Popplewell	Chartered Landscape Architect, Director, Rosetta
Dr A Towle BA MA PhD MCIFA	Associate Director, RSK
Mr J Simpson CEcol	Associate Director, ADAS
Mr C Proctor	Land Director, Caddick Land

FOR THE LOCAL PLANNING AUTHORITY:

Mr P Hughes BA (Hons) MRTPI DipMan MCIM	Consultant, PHD Planners
Ms A Myers BSc (Hons)	Landscape Planner
Ms E Anderson MA CIEEM CENV	Ecologist
Ms H Firth	Archaeologist

INTERESTED PERSONS:

Cllr P Allen	Maulden Parish Council
Ms S Raven	Ecologist, Greensand Trust
Mr I Hill-Smith	Local resident
Ms L Reyner	Local resident
Mr M McCourt	Local resident
Cllr P Jackson	Maulden Parish Council
Cllr P Duckett	Ward Member, Central Bedfordshire Council

DOCUMENTS

- 1 Extract from proposals map – Local Development Framework
 - 2 Extract from proposals map – emerging Local Plan
 - 3 S106 Agreement signed and dated
 - 4 Extract Pre-submission version of Local Plan, January 2018
 - 5 Committee report - CB/17/04583/OUT
 - 6 Appeal decision and site plan – APP/P020/W/18/3194555
- Submitted after hearing (as agreed at event):*
- 7 Council's CIL Reg 123 Pooling Evidence
 - 8 Committee report – CB/17/1156/OUT
 - 9 Statement of Common Ground 2 dated 23 November 2018
 - 10 Appellant's additional Statement of Case
 - 11 Council's additional Statement of Case