

Item No. 17**SCHEDULE B**

APPLICATION NUMBER	CB/09/06626/FULL
LOCATION	Land Rear Of Town Farm Court And 53, High Street, Henlow
PROPOSAL	Full: Residential development of 29 dwellings consisting of affordable rental: 3x 1 bed apartment, 1x 2 bed house, 2 x 3 bed houses. Affordable shared ownership: 2x 1 bed apartments, 1 x 2 bed house, 1x 3 bed house. Private Sale: 2x 2 bed houses, 4x 3 bed houses, 4x 4 bed houses, 9x 5 bed houses. (Revised description)
PARISH	Henlow
WARD	Langford and Henlow
WARD COUNCILLORS	Cllr Clarke & Cllr Rogers
CASE OFFICER	Godwin Eweka
DATE REGISTERED	16 December 2009
EXPIRY DATE	17 March 2010
APPLICANT	Town Farm Homes Ltd
AGENT	RMA Architects LLP
REASON FOR COMMITTEE TO DETERMINE	Ward Councillor request – Cllr Rogers due to local concerns
RECOMMENDED DECISION	Full Application - Granted

Site Location:

The site to which this development relates, measures 0.9983 hectares and lies to the west of Numbers 1-3 Town Farm Court and 51-55 High Street, Henlow and incorporates part of the rear gardens of Numbers 53 and 55 High Street. The eastern boundary backs onto five existing residential properties and their rear gardens and this boundary is defined by fencing and brick walls. The southern boundary is dominated by private rear gardens and some Silver-Birch trees. The application site is irregular in shape.

The proposed site is adjacent to a watercourse to the west. The part of the development site that lies to the west is an exclusion zone due to its proximity to Henlow Brook. Further to the west beyond the Brook, is an open pasture/arable land. The watercourse is part of the Bedfordshire and River Ivel Internal Drainage Board's jurisdiction, which is approximately 5 metres wide. The site mainly lies within Flood Zone 3 on the Environment Agency Indicative Flood Risk Map. The eastern part of the site towards the high Street, lies in Flood Zone 1.

The proposed development site has now been wholly incorporated within the Settlement Envelope. In particular, the part that included the rear gardens of Numbers 53 and 55 High Street, Henlow have now been incorporated fully within the Settlement Envelope, following the Planning Inspector's decision in September

2009.

To the north of Number 53 High Street, is the Village War Memorial and to the south, is number 51 Town Farmhouse, a Georgian period property, which lie behind a dwarf wall on the High Street frontage.

With the exception of Number 53 High Street, which lies within the Conservation Area, the remainder of the proposed development site adjoins the Conservation Area. However, Number 53 High Street, is due to be demolished to pave the way partly for the new vehicular access into the site from the High Street, together with some new residential dwellings, which would form part of the 29 dwellings proposed for the site.

The Application:

Residential development of 29 dwellings consisting of affordable rental: 3 x 1 bed apartments, 1 x 2 bed house, 2 x 3 bed houses. Affordable shared ownership: 2x 1 bed apartments, 1 x 2 bed house, 1 x 3 bed house. Private Sale: 2 x 2 bed houses, 4x 3 bed houses, 4 x 4 bed houses, 9 x 5 bed houses. (Revised description).

The above description is further simplified in their various categories of housing provision below:

- **Affordable Rental:** 3 x 1- Bed Apartment; 1 x 2-bed house and 2 x 3-bed houses.
- **Affordable Shared Ownership:** 2 x 1-bed Apartment; 1 x 2-bed houses and 1 x 3-bed houses.
- **Private Sale:** 2 x 2-bed houses; 4 x 3-bed houses; 4 x 4-bed houses and 9 x 5-bed houses.

This proposal has been advertised in the local press.

RELEVANT POLICIES:

National Policies (PPG & PPS)

PPS1 (Delivering Sustainable Development)
PPS3 (Housing)
PPS9 (Biodiversity and Geological Conservation)
PPG15(Planning and The Historic Environment)
PPG16 (Archaeology and Planning)
PPS22 (Renewable Energy)
PPG25 (Development and Flood Risk)

Regional Spatial Strategy

East of England Plan (May 2008)

SS1; WM6; H2; ENV1; ENV3; WAT4

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

Bedfordshire Structure Plan 2011

Central Bedfordshire Core Strategy and Development Management Policies (November 2009)

DM2; DM3; DM4; DM10; DM15; DM16; CS1; CS2; CS5 and CS7.

Supplementary Planning Guidance

Design Guide for Central Bedfordshire-Design Supplement 1(January 2010).

Planning Obligations Strategy Supplementary Planning Document-SPD (November 2009).

South Bedfordshire Local Plan Review Policies

N/A

Supplementary Planning Guidance

N/A

Planning History

MB/08/02254/FULL Residential development consisting of affordable rental 1no. one-bedroom apartment, 1no. two-bedroom house and 2no. three-bedroom houses. Affordable shared ownership of 4no. one-bedroom apartment, private sale of 3no. two-bedroom houses, 5no. three-bedroom houses, 6no. four-bedroom houses and 7no. five-bedroom. Withdrawn 4/3/09.

MB/08/02255/CA Demolition of Dwelling. Withdrawn 21/01/2009.
CB/09/06930/Full Change of use of Garden Land to Agricultural Land. Approved 12/02/2010.

Representations: (Parish & Neighbours)

Henlow Parish Council The Parish Council object on the following grounds:

- Henlow has seen an increase of over 25% in development since 1996 and is at capacity for its existing facilities.
- The Parish Council has provided an maintains extensive playground facilities at considerable expense and is unable to provide further facilities to cater for any increased demand.
- Schools: Capacity in the Henlow Schools is at saturation point. Raymond VC Lower School is full and are unable to take in anymore pupils. Henlow VC Middle School is full with older age groups oversubscribed and Derwent Lower School reception ages are also oversubscribed-they would all have

difficulty in accommodating any further increase in pupils.

- Foul Sewers: Drainage difficulties generally have been highlighted before, without any resolution forthcoming and the proposed development would only add to the existing problems. Sewage has in the past overflowed in areas of the High Street and the introduction of a pumping station serving 29 dwellings would result in constant discharge at times of pumping into an already overloaded system.
- Surface Water: We are concerned about the proposed box culverts shown under the carriageway and their capability and capacity to discharge surface water away from the residential area, part of which is shown within the floodplain. The current layout now shows the carriageway moved to be adjacent to the western boundary-within the floodplain. Surely it must be undesirable to have an increased impermeable area in this location?
- Traffic Problems: At present, especially during rush hours, the High Street endures an intolerable strain of traffic jams from the A507 north towards Langford, though the length of the High Street. This development would add in the region of 60 vehicles to the traffic flow which would severely add to the existing situation. The previous Parish Council requests for widening the High Street to the A507 and creating a filter lane have been completely ignored to date.
- Parking in the High Street is already a major problem and will be made worse by this development as it will increase the amount of parking required and decrease the amount of parking available.
- Access onto the High Street-the access to the development is on the narrowest part of the High Street and very close to the existing access to Town Farm Close (not shown on the plans). This is felt to be inappropriate and dangerous for the volume of traffic the development would bring.
- Doctors Surgeries are at a saturation point in Shefford, Stotfold and Langford. Any further development would only exasperate this current desperate situation.
- The Members feel that Henlow Parish Council have done more than their fair share in providing additional accommodation for Bedfordshire, including all the facilities required to sustain the residents and the proposed development would add an intolerable strain on the existing fibre of the community.
- There is a complete lack of amenity space or any focal point within the development-what looks like it may have initially been intended to be a 'green' has, in the revised proposal, now got three properties on it.
- A 'Noise Survey' has not been provided, even though

we understand that new developments in this area require one to be submitted. Nor have 'noise pollution' details been submitted with regard to the pumping stations.

- The 'spur road' is not necessary for turning as there is a circular route within the development. Its only purpose appears to be to service completely unacceptable future development in the countryside north of the proposed development.
- No details have been submitted for the demolition of the existing storage building that we understand is on the site within the Conservation Area.
- At the Development Strategy Task Force meeting held on 23rd October 2009 to discuss site allocations, Central Bedfordshire Council officer's stated that the application site was no longer one of the Council's preferred sites as it was felt essential to retain the 'green' area from Clifton to Henlow intact.
- No demand for new development: With the number of properties under construction and on the market at present and with building works having been stopped completely in Clifton, the Parish Council that there is a demand or need for further development in the area.

Neighbours

Eighteen letters of objection have been received and the grounds of objection have been summarised as follows:

- **Conservation Area and Design:** Whilst the greater part of the site does not impose directly on the Conservation Area, Number 53 High Street and the entrance route will be directly and clearly visible within the area, forming partly land within the Conservation Area. Henlow Conservation Area is in form, a linear reflection of the village street, unbroken for the main part by views out to the countryside beyond. The design of the estate is at variance with the Design and Access Statement as it does not have the feel of a village green and contains no landmark features to commend it, despite being in a conservation Area.
- **Overdevelopment:** Given the present core strategy for development of settlements outside the major and minor centres, the building of 31 units at Henlow is excessive in scale, particularly on a site which is inadequate in sustainable development terms. Henlow is not in fact suitable for housing developments. The number of houses to be built far exceeds the guidelines set by East of England, County and Mid Beds Reviews and Local Development Framework in relation to new homes within Bedfordshire villages.
- **Sustainable Development:** The inadequate transport links mean that the development will not comply with policies on sustainable development. The very

weakness of the site in this respect is confirmed by the proposal to create a Travel Plan Co-ordinator for the residents. The notion of a village scheme such as this, is untried and likely to be ill-supported and abandoned.

- **Loss of Light:** There would be loss of light to three reception rooms and two bedrooms on Plot 5J1, which is to be erected at 14.5 feet (4.49 metres) from our property.
- **Loss of Privacy:** There would be loss of privacy as Plot 5J1 is to be erected 14.5 feet (4.49 metres) from our property. 7 windows overlooking our reception rooms, bedrooms and garden.
- **Noise Nuisance:** There will be noise disturbing our property from traffic movements on the estate, two pumping stations and normal residential use.
- **Countryside Gap:** The development destroys the Important Countryside Gap and obscures the view of Henlow's prize within the Conservation Area, the converted 'Tythe Barn in Town Farm Court'.
- **Outside the Settlement:** A small part of the development on its north-western boundary list seems to have been used to build a pumping station and spur road and this land is not defined on the plans as being within the residential envelope.
- **Biodiversity Action Plan (BAP):** The development builds across the known habitats of BAP protected bird, water, insect and mammal species and destroys Traditional Orchard which exist on the site and are Habitats Action Plan (HAP's) listed. The building of a roadway on the banks destroys BAP habitats.
- **New Access Road:** A new access road to be built on the north of the site, is within 12 metres of Town Farm Court (omitted from the Developer's Plan). This road has existed for almost thirty years. It provides parking and access for 12 garages linked to 4 properties on the High Street and 3 on Town Farm Court. The safety of the road users of Town Farm Court is severely compromised by the building of the new road, such a short distance away.
- **Floodplain:** The development site is on Level 2 and 3 Floodplain and should not be used for building new homes when other more suitable sites within the village have been identified for residential building.

The building of a roadway on the banks of Henlow Brook on the most vulnerable part of the floodplain is within the 20 metre maintenance strip required by Ivel Drainage Board to mitigate against flood. When flooded, this road will prevent access to the development. There are no assurances given that adequate engineering, surge water storage or porosity will reduce the risk of flooding to homes in Town Farm

Court or downstream.

- **Lack of Safety & Security:** I am concerned that Town Farm Court will be used as a pedestrian shortcut to the estate. I can find no details in the plans about safety and security for the residents of the new estate or for Town Farm Court by Bedfordshire Police Community policing.
- **Overcrowding/Bicycle Storage:** The site has been reduced in size and the boundaries adjusted to prevent building over land which is not currently within Henlow's Residential Area. Despite being overcrowded already no reduction in the footprint of buildings has been made and overcrowding has been exacerbated. The addition of bicycle storage buildings and passing place to the ring road, add to porosity problems on the flood plain.
- **Movement of 1 of 2 Pumping Station:** No details were available to confirm the suitability of this new underground system to the site and its position on the Henlow Floodplain. Its movement further east brings the pumping station much closer to properties in Town Farm and no noise survey had been undertaken to quantify this legitimate reason to object. The additional risk of flooding, leakage of raw sewerage, suitability of the pumping mechanism for 29+ homes, FRA , noise survey reports, FRA approvals from the Env. Agency or IDB, Conservation Area Consents were not available, matters all of immediate concern to the residents of Town Farm Court
- **SHORTENING OF THE SPUR ROAD** – now prohibits turning on the estate and eliminates any possibility easy and clear access at all times to refuse vehicles, deliveries and most importantly EMERGENCY SERVICES. No Highways consultancy or Community Police consultancy documents were available to support this proposal which because of its impact constitutes a MAJOR CHANGE to the Application.
- **GATING ELECTRONICALLY THE END OF THE SPUR ROAD:** This was not noted in sufficient detail on the plans for consultation purposes although PO was able to point to where they would be. We refute entirely the Planning Officer's explanation that an unnamed local land owner / farmer currently accesses the site at this point and wishes to maintain vehicular access from his land after building The electronic gate's only purpose can be to establish a link to land.
- **REDRAWING BOUNDARIES:** A number of alterations to the boundaries were shown in poor or no detail The changes all threaten the ancient hedgerow running from EW and Biodiversity. The fruit barns are threatened but no Demolition Application for these

buildings filed. No conservation Area consents were available, all of the changes are within the conservation area. The recent change of use to Agricultural Land has not been noted.

Changes to the site's NW boundary increase overcrowding on the estate and the Developers have not reduced the number of houses to facilitate this loss of land.

Although some redrawing of boundaries was available for viewing at Priory House the SE boundary was unchanged. Building work and clearance started on this part of the development, without approval in June 2009. A high fence takes light from 3 Town Farm Court, and the high fence extends behind 1 and 2 Town Farm Court. An objection lodged earlier by us drew your department's attention to our loss of privacy and light by the position of 5.J1 less than 21ft window to window from our main reception room. It is worth re-stating at this point that our reception room's only window is a small westerly facing window and we would ask you to confirm by return that the unchanged position of this new build, its exact window to window distance from our own and its conformity or otherwise to Central Beds Planning Guidelines. Please ensure that this concern has already been noted by your office.

- **REPOSITIONING AND OR EXTENDING THE GARDEN BRICK WALL TO 51 HIGH ST:** This garden is within the conservation area of Henlow and should properly be dealt with by application by the owners to make changes to their property. The changes were not shown in any detail on the plans and consultants are prevented from comment by this omission.

We contend that the amendments published to the consultees on 1st March 2010

1. Makes MAJOR, not trivial changes
2. There has been a failure to publish to all statutory consultees
3. Poor communication and lack of document service by Central Bedfordshire
4. Absence of the necessary changed FRAs, approvals from IDB and Env Agency, conservation consents, HA approvals and noise surveys necessary to give full consideration to the amendments, Natural Eng. / Beds Wildlife approval for removal of hedgerow, Demolition applications

Consultations/Publicity responses

Highways & Transport Division	No objection, subject to conditions.
Public Protection, North	No objection, subject to condition.
Archaeology	No objection. Despite the fact that the archaeological evaluation did not cover the whole of the proposed development area, the Council is satisfied because the alluvial deposits were so extensive there are unlikely to be any significant archaeological remains within the unevaluated part of the site.
Anglian Water	No objection, subject to suggested Informative Statements and Conditions Report. Anglian Water wishes it to be known that they are obliged under the Water Industry Act 1991 to provide water and waste water infrastructure for domestic purposes for new housing and employment developments within its area when requested to do so. To effect this, the applicant will have to make a request to us under the appropriate section of the Water Industry Act.
Bedfordshire and River Ivel (IDB)	<p>The Internal Drainage Board has advised that no objections in principle. However, they have advised as follows:</p> <p>Our consultant has scrutinised the hydraulic modelling which informs the Flood Risk Assessment (853/07 FRA Rev B) and concluded that there are significant issues with the model, most notably, the high and low cords of the bridge at River Station 1.5. These have been altered for some reason and the geometry of the bridge is now believed to be incorrect. Also there are a number of other small problems which are likely to allow too much water through this bridge and incorrectly reduce levels upstream. It is not considered that the model provides an accurate representation of the situation within the watercourse.</p> <p>Having discussed these issues with the applicant's consultant engineer it would appear that the Stockbridge Road bridge geometry was incorrectly input into the original model, such that on correction the modelling now shows that in some circumstances water will disperse overland out of left bank and onto Stockbridge Road. The consultant is confident that a 1 in 100 year storm event will not cause flooding on the site the subject of this planning application.</p> <p>The results of the modelling have been discussed with the applicant's consultant with respect to the possibility that the modelled flood levels may be on the low side when compared with the flooding which took place in</p>

January 2003. The consultant agrees that this could be the case and that it is not unreasonable to suggest that there is a risk that water levels could be higher than modelled, although it is unlikely that this would result in flooding of the site.

Finally, surface water discharge from the development is referred to in the FRA and shown on drawing 853/17 at a rate of 5 litres per second. It should be clarified that this is not the greenfield rate attributable to the proposed impermeable areas on the site but a practical rate of discharge for the proposed hydro brake.

The greenfield rate for Henlow Parish is 3 litres per second per hectare of developed land; hence a development charge of £3.40 per sqm of impermeable area discharging will be payable (extra over the greenfield equivalent rate and less any existing impermeable areas on the site) to the Board if a rate of 5 litres per second is the finally agreed discharge. The development charge is payable prior to issue of the Board's consent.

The Wildlife Trust

The Wildlife Trust believe that the field behind Town Farm Court (labelled as Area D in the Ecological Appraisal), was until recently, a Traditional Orchard. Traditional Orchards are a Biodiversity Action Plan habitat due to their national decline and the range of wildlife that they support. It is important that this is recognised when considering this application.

Although most of the fruit trees in Area D had been felled by the time the Ecological Appraisal was carried out by the applicant, the Arboriculture assessment and Tree Protection Method Statement records many well established fruit trees with abundant standing and falling dead wood. Dead wood is an important component of a traditional orchard.

As orchards are often hotspots for biodiversity, containing a wide range of wildlife, including rare and protected species, they have been designated as a habitat of principle importance and a Biodiversity Action Plan (BAP) habitat. Traditional Orchards have recently been listed by the Government as a habitat of principal importance for biodiversity under Section 41 of the Natural Environment and Rural Communities Act 2006). This Act is commonly known as "The Biodiversity Duty" and it is applicable to all public bodies.

Central Bedfordshire promotes its own policy under CS18 on the protection of Biodiversity Action Plan habitats. Therefore, from a biodiversity perspective, the creation of a new orchard to replace the long established one which was present on this site would be preferable to housing development, which gives no opportunity to continue the orchard. It is very unfortunate that the orchard was

Natural England

destroyed before the ecological assessment was carried out and this planning case was considered. It is the Council's duty under the NERC Act (2006), to have regard to conserving biodiversity and it is important that the orchard, despite it being recently felled, is fully taken into account when considering the housing application.

The current application for housing on this site does not propose any mitigation plans for the loss of orchard habitat. In the event that the Council is minded to grant permission, we agree with the Natural England that *the western half of compartment D should be retained as an orchard planting site and that sufficient funding should be made available to manage it in the long-term.*

As this would be rather limited mitigation of the habitat loss, any permission should be accompanied by a requirement to establish a new orchard area in the environs of the village with appropriate long-term secure maintenance funding.

The biodiversity report submitted as part of the Change of Use application suggests that the site previously supported fruit trees and these would qualify as a Traditional Orchard, which is a Biodiversity Action Plan habitat. No details have been provided as to the qualifications of the ecologist who has made this assessment and while the historical account of the site provides useful context, much of the information presented is either anecdotal or generic.

With regards to compartment D (the area cleared), the housing application biodiversity survey only considers the site in its current condition.

The change of use application to agricultural use appears to be an attempt to instigate re-planting of the recently cleared habitat and Natural England is supportive of any proposals which contribute the aims of the Bedfordshire and Luton Biodiversity Action Plan. However, it is clear that the intention for the housing proposal is not compatible with the site. The housing development application does not appear to take account of the loss of orchard habitat previously present on the site and would therefore, be contrary to Central Bedfordshire planning policy on biodiversity.

If development is pursued at this site, we suggest that your authority explores the following possible compensation measures (or similar) to ensure compliance with the above policy and legislation:

- Amending the development masterplan to allow retention of the western half of compartment D as an orchard planting site, with resources secured to manage and maintain a planting scheme.
- Requiring the developer to commit to funding that is

sufficient to secure a small alternative planting site within the village, perhaps under ownership of the Parish Council. For example, we note from the 1938 OS that the arable field adjacent & to the west of the site previously contained a small sliver of orchard. The eastern boundary of the field (the brook) is far from straight, and it might be possible to purchase a sliver for re-planting which squares off part of the arable field boundary

Environment Agency

With regards to protected species highlighted in the housing biodiversity survey report, the conclusions and recommendations appear sensible.

We commented on the Flood Risk Assessment (FRA) (ref: 853/07) for residential development at Town Farm Court in relation to the previous application in 2008. Therefore, we have no further comment to make on our previous response under references AC/2008/108000 and AC/2008/105815. These comments remain pertinent.

Henlow Village Design Association

The Village Design Association has reviewed the application and has major objections to the proposed development:

- Site: The above proposal with its spur road provision seems to be the first stage of a much larger development which is unacceptable for reasons to be described. Looking at an aerial view of the location, it is clear that provision is being made to link this application with this much larger development also in the floodplain. Since there have already been major developments in Henlow recently, like the Dairy Development and land East of the former Dairy, we feel that Henlow has had more than its quota of developments. The road system, services and parking provisions are all overloaded at present and building the proposed estate within the Conservation Area is totally unacceptable.
- The Design: The entrance to the proposed estate from the High Street is unattractive and congested. We object to the 'feature' window facing the High Street (item 1), the plaque (item 3) and the 'bricked recess' (item 8) on drawing 1029_0225. They are unnecessary and artificial; we note the balloons identifying items 8 and 9 are empty, although the features are still there. Solar water heating panel item 25 is nowhere to be seen. The whole length of these affordable houses appears dark and monotonous and would benefit from a stepped roofline. We feel it violates our Guidelines 10, 11 and 13 *Design Cues, Detailing and New Buildings*.

Bedfordshire Police

Section 11 of the approved Mid Bedfordshire highlights the fact that in order to meet the demand for the planned

population growth for the area, additional police facilities are considered to be essential in order to reduce crime and maintain community safety.

In terms of the proposed residential development , which includes 29 no. residential units (including 5 no. one bed, 4 no. two bed, 7 no. three bed, 4 no. four bed, 9 no. five bed,), this would generate a financial contribution of £6,687.00

Therefore, in order to meet Bedfordshire Police Authority's statutory duty to secure the maintenance of an efficient and effective Police force, in accordance with the Planning Obligations SPD, we would request that for all qualifying developments, the LPA include within the Planning Obligation the necessary financial contribution (detailed above), towards the Police's ongoing responsibility.

Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Impact of Development on Character and Appearance of Conservation Area
3. Impact of Development on Neighbouring Properties
4. Impact of Development on Biodiversity Issues
5. Sustainability Issues
6. Highway Safety Implications
7. Planning Obligations Strategy
8. Other Issues

Considerations

1. Principle of Development

The site to which this development relates, measures 0.9983 hectares and the proposed residential scheme, which is to be located to the rear of the High Street and Town Farm Court, aims to provide a mix and various residential categories (i.e affordable rental, affordable shared ownership and private sale). This development therefore, now lies wholly within the *Settlement Envelope* of Henlow, following the decision of the Planning Inspector's decision in September 2009.

In view of the above, the development would be assessed against the relevant planning policies, namely Policies DM2; DM3; DM4; DM10; DM15; DM16; CS1; CS2; CS5 and CS7 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and they state as follows:

Policy DM2 states that all proposals for new development should contribute towards sustainable building principles. This policy requires future new housing development to comply with mandatory standards in relation to Code for Sustainable Homes; major developments and developments which will have

high water consumption, should be incorporate measures to minimise their use of 'white' water and the provision of Sustainable Urban Drainage Systems for the disposal of surface water.

Policy DM3 states that all proposals for new development should be appropriate in scale and design to their setting; contribute positively to creating a sense of place and to respect local distinctiveness through design and use of materials; efficient utilisation of land; energy efficiency; respecting the amenity of surrounding properties; incorporation of appropriate access and linkages for pedestrian, cyclists and public transport as well as making provision for adequate parking areas and servicing.

Policy DM4 supports the approval of a housing development within settlement envelopes of a large village such as Henlow. Such development is expected to make the best use of available land and to lead to more sustainable communities.

Policy DM10 states that all new housing developments will provide a mix of housing types, tenures and sizes in order to meet the needs of all sections of the local community, promoting sustainable communities and social cohesion. This includes the provision of 'lifetime' homes.

Policy DM13 states that inappropriate development in Conservation Areas will be refused.

Policy DM15 states that the Council will ensure among other criteria where any development is permitted within, adjacent to or in close proximity to designated sites or known locations of identified species, the developer will be expected to take steps to secure the protection of such animals and plants. In cases where new development is unavoidable and may harm wildlife interests, mitigation is required.

Policy DM16 states the Council will require the promotion and protection of green infrastructure by ensuring that proposed residential development will contribute to the provision and maintenance of green infrastructure in accordance with the requirements in the Planning Obligations Strategy.

Policy CS7 states that new housing development for 4 or more dwellings should provide an element of affordable housing of 35% of the provision. This should include a mix of tenures in accordance with figures set out in a Supplementary Planning Document.

Policy CS14 requires development to be of the highest quality by respecting local context, the varied character and the local distinctiveness of Central Bedfordshire's places, spaces and buildings; focusing on the quality of buildings individually and collectively to create an attractive, accessible and mixed use public realm.

Policy CS15 highlights that the Council will protect , conserve and enhance the district's heritage which includes Conservation Areas.

Policy CS18 support the designation, management and protection of biodiversity and geology and local priority habitats and species identified in the

Local Biodiversity Action Plan.

The Natural Environment and Rural Communities Act 2006 places a duty on Public bodies to have regard to the conservation of biodiversity and in accordance with Planning Policy Statement-PPS9.

The proposed development has a density of 29 dwellings to the hectare, which is consistent with the rural context and it is not considered the development would lead to overdevelopment of the site. The proposed development has had regard to the relevant planning policies highlighted above and as such, the Council will be assessing the development against these policies. The principle of a residential development to provide 29 affordable rental, affordable shared ownership and private sale dwellings in this village is acceptable by virtue of its location within the settlement envelope.

2. Impact of Development on Character and Appearance of the Adjoining Conservation Area

This proposal, which has satisfied the Council's Conservation and Design Team, has two dimensions to it and these are the creation of a new vehicular access between Numbers 51 and 53 High Street and the development of the residential dwellings in that part of the site that incorporates Number 53 and part of the former rear gardens of Numbers 53 and 55 High Street, which have now been fully incorporated within the settlement envelope.

It is considered the demolition of the existing dwelling at Number 53 High Street, a late 1960's/early 1970's residential Chalet-Style bungalow, would facilitate the re-development of that site for residential dwellings. The redevelopment includes a detached two-storey dwelling, which fronts the High Street and a terrace of affordable housing which lines the proposed access road, with terminating views towards the western part of the site from the High Street. These buildings demonstrate brick detailing and timber cladding, which embodies the terrace, with the roofline stepping down on a gradual slope to emphasise the buildings in line with the land gradient and contours.

The parking layout to the terrace properties are situated to the rear and would be screened and secured by electronic gates. The rooflights in the apartments provide not only a design feature but also surveillance within the grounds. The new vehicular access from the High Street onto the site is screened on its southern boundary by a solid brick wall as well as to the rear of the Town Farmhouse at Number 51 High Street.

The impact of the timber cladding on the terrace is also boosted visually, with the rebuilding of the barn, immediately to the rear of Number 51 High Street and the building in the centre of the site, which represents a 'focal point' in the development. This building is complemented by oriel/large bay window and complementary timber boarding to reflect the local rural context. The various house types in this development also display their unique features that provides a visual interest. The complementary front dormer, front canopies and sash windows to properties 4G3; 16D1; 17D1; 18C1; 19C1 and 20C1 provide an enhancement to the site.

The approach onto the site, sees a three-storey building which stands at the

corner, near the turning head of the vehicular access to the western part, thus providing a focal feature to the rest of the site in the south. This part of the site comprise a two and half to three-storey dwellings with large chimneys to enhance the roofline, with adequate off-street parking and cycle storage areas. The access provides a circulation around a central focal point featuring some buildings, which define the site and helps to facilitate the visual interest of the site. The access road which navigates around these buildings on the island, provides permeability and helps to define the space around the buildings in this part of the site.

It is considered the proposed built form would not detract from the character and appearance of the adjoining conservation area nor the village as a whole. Due to the physical constraints of the site, such as the land gradient and contours, the layout of the site tended to define the height and size of the dwellings as this would emphasise the visual aspect of the development. It is also considered that the local context is very much in evidence in terms of the proposed materials to be used for the development. The proposed development would have a blend of local sourced materials to provide a scheme, which would enhance the appearance of the adjoining conservation area and the local context. It is considered that the subtle designs and openings and elevations, appear to depict a traditional form of development, which does not detract from the local context.

Overall, it is not considered this development would detract from the local context or its rural setting and character. Although the proposed development could be viewed from the western side and particularly from the Clifton Road side, it is not considered such distant views would result in any adverse impact on the character and appearance of the area, particularly as it would be seen against the backdrop of existing development. Therefore, the development would preserve the character and appearance of the adjoining conservation area and the local area in general.

3. Impact of Development on Neighbouring Properties

The proposed development is being sited in a predominantly cleared land, following the felling of the orchard a year or so ago. Any potential impact of this development is partly assessed against Number 55 High Street, which abuts the site to the east, with a 15 metre separation to the proposed garage serving plots (16D1; 17D1; 18C1; 19C1; 20C1; 21 E2 and 22K1). The side elevation of Number 55 is also 5.5 metres from the car parking area serving the proposed terrace properties. Number 55 High Street is well set back from the High Street frontage with a 12 metre distance from the proposed two-storey detached property at (25A1). It is not considered therefore, that there would be any material overlooking, loss of light or overbearing issues. Some first floor rear windows in adjacent units will be obscurely glazed to prevent any unreasonable loss of privacy.

Whilst 51 High Street also adjoins the site, the development should not have an unacceptable impact on this dwelling having regard to its siting and the layout of the proposal.

Any potential adverse impact is further explored from the boundary, which runs from the proposed terrace on the approach along the rear of Town Farm Court properties to the eastern and southern boundaries up to the detached residential

property known as 'The Keeping'.

The distances from the side/rear elevations of the new properties at plots 1E1 and 3F1 to the rear of 1 & 2 Town Farm Court on the eastern boundary, are between 17 metres and 30 metres. The garage for these new properties would be around 23 metres from the rear of 1 & 2 Town Farm Court. Properties 4G3 and 3F1 have a distance of between 16 metres and 15 metres to the eastern boundary with aspect towards the access from Town Farm Court that terminates at 'The Keeping'. Given the siting of the development, it is not considered it would have an overbearing impact, or give rise to a loss of light/privacy to these adjoining dwellings.

The garage building at 5J1 on the eastern/southern boundary is between 5 metres and 6.6 metres to the side elevation of The Keeping. There are two rear roof windows on this garage, and in order to prevent an adverse impact on the privacy at the Keeping, these windows and the one in the side elevation of plot 5J1 serving a bathroom will be conditioned to be obscurely glazed. The main rear aspect from 5J1, would be towards the tree lined southern boundary and to the north onto the small courtyard of hard standing that serves the attached garage and parking areas. The main dwelling at 5J1 will be 7 metres from the single storey rear projection at the Keeping.

There are three first floor windows and a door and three ground floor windows on the side elevation of the Keeping facing the application site. The garage for plot 5J1 will be partly sited alongside the side elevation of the property. However, given its scale and siting, it is not considered that it would have an overbearing impact, or give rise to a material loss of light to the Keeping or its side windows. Most of the side elevation of the Keeping would overlook the garden for plot 4G3 with the new property being sited more than 21 metres away which is adequate to ensure there would be no unreasonable loss of privacy to this existing neighbour.

Plots 4G3 and 5J1 in particular will be clearly visible from the Keeping and its garden, and the impact of the development on this neighbour has been given very careful consideration. However, given the size, siting and design of the development, it is not considered that any impact on the property in terms of being overbearing, giving rise to a loss of privacy/light, would be to such a degree so as to warrant the refusal of the application.

Whilst other existing properties in the area will be able to view the new development, they are adequately removed from the site so as to ensure that their amenities would not be affected to any material degree. Given its location and the number of dwellings it will serve, the new access into the site is also considered to be acceptable in terms of the impact on existing dwellings.

The properties sited to the western boundary of the site, notably, 8G1; 9F1; 10F1 and 11G4, are between 8.5 metres and 10 metres to the existing hedgerow to the west of the site. There is no adverse impact envisaged to the north-west and north of the boundary line, which would be defined by a timber post and rail fence.

All the comments received from the occupiers of nearby dwellings have been assessed in detail. However, for the above reasons the impact of the

development on nearby dwellings is considered to be acceptable.

4. Impact of Development on Biodiversity Issues

Section 40 of The Natural Environment and Rural Communities Act 2006 places a duty on public bodies, such as Local Planning Authorities to have regard to the conservation of biodiversity when exercising their functions. Government Planning Statement on Biodiversity and Geological Conservation (PPS9), provides the guidelines for protection of these important assets and require policies to be prepared for their protection and enhancement. Policies CS18 and DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), for example, are designed for such protection and enhancement.

The Ecological Appraisal submitted by the applicant to the Council and which the Council's Ecology Section has considered carefully, concluded that

"Although, there is more open land to the south-west, its history as intensively managed garden, orchard and species-poor grassland, has restricted the wildlife which could use this land. However, gardens can support a variety of more common species such as some birds and mammals such as hedgehogs. The open western boundary which has a brook adjacent, could potentially encourage a different group of wildlife.

There is some potential for protected species to be present, although species with the greatest protection (e.g. Water Voles and possibly bats) are most likely to be associated with boundary features.

Despite this low potential for protected species, it is believed that on current evidence, development would not be a significant on wildlife. Loss of gardens and orchard will remove some feeding opportunities for birds as they pass through in the Spring and Autumn and some nest sites. However, creation of new gardens will to some extent, compensate for that."

In view of the above legislation and the conclusions made following the ecological appraisal, the Council has therefore, considered all the biodiversity issues and is satisfied with the recommendations made. These are as follows:

Bats : A further survey to ensure bats are not roosting in trees should be undertaken before mature trees are felled. This should be undertaken by a suitably qualified person .

To help mitigate for tree loss in the area, bat boxes should be erected , primarily on properties nearest the brook corridor. 10 boxes erected on different elevations would be acceptable.

Water Voles : The Brook corridor is the most important feature of the site. A condition requiring the production of a Landscape Plan should be submitted to condition, which would enhance the biodiversity of this potential conservation area. The plan should include remedial works to the trees and hedge adjacent to the brook and the creation of a flower rich grassland strip adjacent to the brook , ideally significantly wider than the detail shown.

Reptiles : Although use of the site for species other than grass snakes is unlikely , it would be a general habitat enhancement to create some habitat piles of

stone and logs to enhance conditions for wildlife generally and this could occur in the grassland strip.

Nesting Birds: In order to accord with the Wildlife and Countryside Act 1981, all trees and bushes need to be removed outside the breeding season. However, if the potential for nesting is low, it is permissible to remove bushes following a hand search to ensure no nesting is taking place.

The landscape plan should also be based on native trees and shrubs to enhance the wildlife habitat and be sympathetic to landscape character.

The Council has had regard to the comments from Natural England and The Wildlife Trust. It is advised, no objection would be raised to the development on wildlife grounds but fully support the request to establish a new orchard to develop as a community facility within Henlow, but not a requirement for this to be on site, but should be established where it would be of a greater social benefit, preferably within the school grounds as a feature within a recreational area or on accessible farmland. However, given that the fruit trees on the site were removed prior to the submission of the application, this request is not considered to be reasonable in planning terms, and the other measures outlined above would provide adequate mitigation in terms of the impact of the development on biodiversity, given that the biodiversity value of the site is now considered to be low.

The site is well screened and no objection is raised in terms of visibility and intrusion. Initially there was a concern about the visual impact on the adjacent countryside. However, the existing tree screen provides maturity and the layout with its staggered edge is recessive in style. A landscape scheme prepared as a condition of approval would be required. This would need to address the poor state of some of the hedgerow. Partial clearance and replanting with locally occurring species would aid screening and accord with landscape character. Species such as alder, which can be coppiced to enable drainage works to be completed by the Bedfordshire and River Ivel Internal Drainage Board (IDB), would be ideal.

Drainage: The high water table has been noted. This scheme should have a sustainable drainage scheme. Usually schemes combine permeable drainage with soft features such as swale and ponds. An earlier drawing in the Design and Access Statement shows a green area with a pond. If the grassland beside the brook was widened there may be scope to integrate SUDS drainage features.

It is advised that there are no sustainable grounds to refuse this development on either landscape or wildlife grounds. If the Orchard had still been standing, the Council may have sought the protection of the Orchard environment, as a Biodiversity Action Plan (BAP), priority habitat. Improvements to the design especially, in securing a wider buffer to the brook would be desirable in terms of habitat development and rural character.

It is also advised that mitigation to benefit biodiversity should be conditioned, as recommended by the submitted Ecological Appraisal.

In accordance with Policies DM15 and CS18 of the Core Strategy and Development Management Policies (2009), the Council's Ecology Section has advised that the ecological value of this site is low in terms of biodiversity. It is considered the development may have some adverse impact on the site, but overall given the comments received and the low value of the site, any impact

identified is not so great so as to warrant refusal. Improvements to the design, especially in securing a wider buffer to the Brook, would be desirable in terms of habitat development and rural character.

Natural England has recommended that if the development is pursued, they suggest that the Council explores the following compensation measures (or similar) to ensure compliance with the above Council's Policy and Legislation:

- *Amending the development masterplan to allow retention of the western half of compartment D as an orchard planting site, with resources secured to manage and maintain a planting scheme.*
- *Requiring the developer to commit to funding that is sufficient to secure a small alternative planting site within the village, perhaps under ownership of the Parish Council. For example, we note from the 1938 OS that the arable field adjacent and to the west of the site previously contained a small sliver of orchard. The eastern boundary of the field (The Brook) is far from straight and it might be possible to purchase a sliver for re-planting which squares off part of the arable field boundary.*

With regards to protected species highlighted in the housing biodiversity survey report, the conclusions and recommendations appear sensible."

The Wildlife Trust has also advised along similar lines as Natural England, with a recommendation that:

"the creation of a new orchard to replace the long established one which was present on this site, would be preferable to housing development which gives no opportunity to continue the orchard. It is unfortunate that the orchard was destroyed before the ecological assessment was carried out and this planning case was considered. It is the Council's duty under the NERC Act (2006), to have regard to conserving biodiversity and it is important that the orchard, despite it being recently felled, is fully taken into account when considering the housing application.

The current application for housing on this site does not propose any mitigation plans for the loss of orchard habitat. In the event that the Council is minded to grant this application, we agree with Natural England that the western half of compartment D should be retained as an orchard planting site and that sufficient funding should be made available to manage it in the long-term. As this would be rather limited mitigation of the habitat loss, any permission should be accompanied by a requirement to establish a new orchard area in the environs of the village with appropriate long-term secure maintenance funding."

Having regard to the information received with the application, the comments from the Wildlife Trust, Natural England and the Council's Ecological advisor, it is considered that there are no material planning grounds to refuse the application in terms of its impact on biodiversity. As an undeveloped piece of land it will have some value to wildlife, flora and fauna. However, it appears unlikely that the development would have a material impact on any protected species and that overall the value of the site in biodiversity terms is low. This assessment is made in the knowledge that the site formally contained a traditional orchard which would have been a Biodiversity Action Plan priority habitat. In its current state, and with the mitigation measures relating to the need

for a bat survey, the protection of nesting birds, and the provision of bat/bird boxes, it is considered that the development is acceptable in relation to its impact on biodiversity.

In considering the impact of the development on biodiversity in some detail, the Council can demonstrate that it has had regard to the conservation of biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006. Moreover, with the mitigation measures proposed, the proposal would meet the broad aim of PPS9 to have minimal impact on biodiversity.

5. Sustainability Issues

In accordance with Policy DM2 above, the Council expects new development such as this to contribute towards sustainable building principles. In doing so, the applicant has submitted a report to this effect for sustainable homes assessment in line with government assessment and requirements within Building Regulations Part L1A to cover the following key areas, energy and carbon dioxide(CO₂); water, materials, surface water run-off; waste; pollution; health and well-being; management and ecology. It is expected a Level 3 assessment is akin to this type of development.

The proposed development aims to incorporate these features and key requirements in the construction. Some properties located to the west and southern boundaries of the site, will benefit from the installation of solar panels in the generation of solar power to these homes.

6. Highway Safety Implications

It is advised that all the outstanding issues have been resolved to satisfaction. However it is not very clear if the car parking for plot 15 that will include the cycle parking is a car port or a garage and therefore a condition needs to be included to ensure that it is a car port and that it will not be converted into a garage as there is insufficient area in front of it to allow a car to stand free of the highway. Since these comments were made, the applicant has confirmed that this area in question is in fact, a car port and this can be subject to suitable condition.

As previously advised and based on pro-rata calculations, a financial contribution for Safe Routes to School is required. In addition, and in relation to safe routes to school, the Council expects contributions towards the installation of a puffing crossing on the High Street in the vicinity of Church Road the cost of which has been estimated accordingly.

A new 5.5 metre access will be provided from the High Street into the development. The Council's Highway team have raised no objections to the proposal, and it is not considered that it would have an adverse impact on highway safety.

7. Planning Obligations Strategy

In accordance with Policy CS2 of the Central Bedfordshire Core Strategy and Development Management Policies (2009), the Council's Planning Obligations Strategy Supplementary Planning Document-SPD (November 2009), require developer contributions towards local infrastructure. The level of such

contribution(s) and the mechanism for securing such financial sums is fully set out in the supplementary planning document as indicated. The Developer is yet to submit an approved legal agreement in the form of a Unilateral Undertaking or legal agreement to this effect. As such, the recommendation is to approve the application subject to the satisfactory completion of the agreement which will secure the appropriate contributions required to local infrastructure.

8. Other Issues

As a matter of clarification, it is advised that the proposed pump station has been relocated from its previous position, which appeared to lie outside the settlement boundary. This pump station would be located underground and it is not considered there would be any visual impact. However, in terms of any potential noise nuisance, this would be subject to a condition.

Following the archaeological excavation undertaken, it is considered the survey has not uncovered any archaeological issue(s) on the site.

In terms of flooding and drainage, the Bedfordshire and River Ivel are satisfied with the information and details submitted in the Flood Risk Assessment (FRA), by not raising any objection to the proposed development, subject to conditions.

In response to the alleged comments made by the owner-occupier(s) of 'The Keeping' regarding the gating electronically, of the Spur Road, the plan clearly shows that there is no electronic gate proposed to this part. The hammer head/turning area is bounded by a post and rail fence. The only electronic gate proposed, would be in a gap under and between the proposed terrace properties on the approach to the site from the High Street.

The previous application which was withdrawn, proposed to have an access via a gate to that part of the site to the northwest, as previously advised by the applicant and this is no longer the case.

Finally, under reference CB/09/06930 the Council granted planning approval for the change of use of this site to agriculture. The proposal was submitted by an objector to this current application, although Section 55 of the 1990 Planning Acts states that permission is not required for such a use. The existence of planning approval CB/09/06930 has no relevance to the acceptability of this current application for housing on the land.

Reasons for Granting

This site lies within the '*Settlement Envelope*' of Henlow. Therefore, the development of 29 dwellings, incorporating affordable rental, affordable shared ownership and private sale in the development within a density consistent with this rural setting, is considered acceptable on the impact on character of the area, neighbours, highway safety and biodiversity. Furthermore, the proposed development is in compliance of Policies DM2; DM3; DM4; DM10; DM15; DM16; CS1; CS2; CS5 and CS7 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

Recommendation

That Planning Permission be granted subject to the following:

- 1 The development hereby approved shall be commenced within three years of the date of this permission.

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

- 2 The permission shall extend only to the application as amended by plans 1029_0010B; 1029_0100 J; 1029_0110N; 1029_0111H; 1029_0112H; 1029_0015A; 1029_0220F; 1029_0221G; 1029_0223C; BGC1/51 to 53 High Street/AIA Rev A and Design and Access Statement Rev B.

Reason: For the avoidance of doubt and to ensure that the development is implemented in accordance with the plans formally approved by the Local Planning Authority.

- 3 **Details of the method of disposal of foul and surface water drainage shall be submitted to and agreed in writing by the Local Planning Authority including any land drainage system, before the development is commenced. Thereafter no part of the development shall be brought into use until the approved drainage scheme has been implemented.**

Reason: To ensure that adequate foul and surface water drainage is provided and that existing and future land drainage needs are protected.

- 4 A scheme shall be submitted for written approval by the Local Planning Authority setting out the details of the materials to be used for the external walls and roof. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the visual amenities of the building and of the area generally.

- 5 A sample panel of (bricks/stonework/tiling etc) shall be constructed for the consideration and written approval of the Local Planning Authority. The development shall be carried out in accordance with the written approval.

Reason: To safeguard the appearance of the completed development by ensuring that the development hereby permitted is finished externally with materials to match/complement the existing building(s) and the visual amenities of the locality.

- 6 The first floor bathroom windows in the rear elevation of the development hereby permitted for properties 23K1; 24B1, and first floor landing window for units 29A3 and 28A3 shall be of fixed type and fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No further windows or other openings shall be formed in the elevation.

Reason: To safeguard the amenities of occupiers of adjoining properties

- 7 **Prior to the development hereby approved commencing on site details of the final ground and slab levels of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas.

- 8 Full details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- materials to be used for any hard surfacing;
- minor structures (e.g. furniture, play equipment, signs, etc);
- proposed and existing functional services above and below ground level;
- planting plans, including schedule of size, species, positions, density and times of planting;
- cultivation details including operations required to establish new planting;
- details of existing trees and hedgerows on the site, indicating those to be retained and the method of their protection during development works.

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

Reason: In order to ensure that the landscaping is carried out within a reasonable period in the interest of the visual amenities of the area.

- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

Reason: In the interests of the visual amenities of the site and the area generally.

- 10 **Prior to the commencement of development a scheme setting out measures for protecting all trees, shrubs and other natural features during construction work shall be submitted to and approved in writing by the Local Planning Authority. No work shall commence on site until all trees, shrubs and features to be protected are fenced with 2.3 high weldmesh fencing securely mounted on standard scaffolding poles driven firmly in the ground in accordance with BS 5837:2005;**

- **for trees and shrubs the fencing shall follow a line 1.0m outside the furthest extent of the crown spread, unless**

- otherwise agreed in writing by the Local Planning Authority;
- for upright growing trees at a radius from the trunk not less than 6.0m, or two thirds of the height of the tree whichever is the greater;
- for other natural features along a line to be approved in writing by the Local Planning Authority.

Such fencing shall be maintained during the course of the works on the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

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

- 11 **A landscape management scheme, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development or the implementation of the use. The landscape management scheme shall be carried out as approved.**

Reason: To ensure an appropriate standard of visual amenity in the local area.

- 12 **Details of finished ground floor levels of the residential development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. This shall be a minimum of 37.83m AOD on the south side of the site reducing to 37.70m AOD on the north side of the site. This is 100mm higher than the levels recommended in the FRA. Such details shall be implemented in accordance with the approved scheme.**

Reason: To ensure that the development meets the current standards for flood mitigation.

- 13 The proposed ground level raising along the boundaries of the site shall not exceed those on adjacent properties.

Reason: To ensure that the development meets the current standards for flood mitigation.

- 14 Land drainage shall be installed where necessary to ensure continuity of existing land drainage.

Reason: To ensure that the development meets the current standards for flood mitigation.

- 15 Surface water discharge from the development shall be attenuated to the greenfield rate prior to discharge into the watercourse on the western boundary of the site. Overland flow routing through the site for storms exceeding the 1 in 100 year event.

Reason: To ensure that the development meets the current standards for flood mitigation.

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

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

- 17 **Development shall not begin until details of the junction between the proposed estate road and the highway have been 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.

- 18 No dwelling shall be occupied until visibility splays have been provided at the junction of the estate road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed estate road from its junction with the channel of the public highway and 43.0m 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 by or on behalf of the developers and be kept free of any obstruction.

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.

- 19 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any amendments thereto, the car port accommodation on plot 15 shall not be converted into a garage, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To ensure that overhanging of the public footway does not occur in the interest of highway users.

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

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

- 21 **No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the**

roadworks necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

- 22 Before any of the units is occupied the parking of cycles on a particular unit shall be implemented as shown on drawing No 1029_0110 Rev N and thereafter retained for this purpose.

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

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

Reason: To ensure the safe operation of the surrounding road network in the interests of road safety.

- 24 **Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

Reason: To ensure adequate off street parking during construction in the interests of road safety

- 25 **Before development commences details of the marketing literature and comprehensive residents travel information shall be submitted to and approved by the local planning authority. The welcome pack to include:**
- **Details of local shops, services, entertainments and community facilities in the area including schools, with a map showing distances and safe pedestrian and cycle routes,**
 - **Information about bus, coach, train, taxi and community transport services**
 - **Local employers operating travel plans**
 - **Local schools operating travel plans.**

The approved welcome pack to be provided to prospective purchasers.

Reason: To ensure the provision of adequate information that will meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 26 On occupation of the development, the developer shall provide residents a more detailed package explaining the Travel Plan's objectives and including specific information about the alternative methods of transport available. This will include:
- Details of car share databases
 - Details of the web site
 - Bus, coach and train timetables
 - Further information about schools , local shops and supermarkets including details of those offering Internet/telephone ordering(including introductory discounts where possible)
 - Details of commercial discounts from rail/bus operators, taxi providers and cycle/motorcycle shops. residents

Reason: To ensure the provision of adequate information that will meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport

- 27 **A bat survey of the larger broad-leaved trees at the site shall be submitted to and approved by the Local Planning Authority prior to commencement of development. In the event that evidence is found that bats are using the trees for habitat at the site, mitigation measures shall be submitted to the local planning authority for its approval. Any such mitigation measures shall be implemented as approved.**

Reason: To safeguard any protected habitat and in accordance with the Wildlife and Countryside Act 1981.

- 28 No tree, shrub or pruning shall be removed from the site during the nesting season from February to September, unless works to make the habitats unsuitable are first undertaken, or detailed examination before clearance, declares the area free from nesting birds.

Reason: In order to safeguard the protected species and in accordance with the Wildlife and Countryside Act 1981.

- 29 **Details of the provision of bird and bat boxes which shall be incorporated into the development in either the properties or communal buildings/structures such as garage blocks, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall be implemented in accordance with the approved scheme.**

Reason: To safeguard any protected species and in accordance with the Wildlife and Countryside Act 1981.

- 30 Noise resulting from the use of the plant, machinery or equipment associated with the Pumping Station shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality or distinguishable features) when measured or calculated according to BS4142:1997, at a point one metre external to the nearest noise sensitive building.

Reason: To safeguard the interests and amenity of nearby properties.

- 31 The first floor window in the side elevation (east) of plot (5J1) and the rooflights on the rear elevation of the ancillary garage of the development hereby permitted, shall be fitted with obscured glass of a type to substantially restrict vision through it at all times, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No further windows or other openings shall be formed in the elevation.

Reason: To safeguard the amenities of occupiers of adjoining properties

Notes to Applicant

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 write to Central Bedfordshire Council's, Highways Help Desk P.O.Box 1395, Bedford, MK42 5AN quoting the Planning Application number and supplying a copy of the Decision Notice and a copy of the approved plan. This will enable the necessary consent and procedures under 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.
2. The applicant is advised that no highway surface water drainage system designed as part of the new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developers expense to account for extra surface water generated .Any improvements must be approved by the Highways Development Control group, Development Management Division, Central Bedfordshire Council. Further details can be obtained from the Traffic Management group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN.
3. 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 Transportation Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN
4. The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is

drawn to Section 59 of the Highways Act 1980 in this respect.

- 5. The applicant is advised that if it is the intention to request the Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Highways Development Control Group, Development Management Division, Central Bedfordshire Council, P.O. Box 1395 Bedford, MK42 5AN.. No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

DECISION

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