

Item No. 18

APPLICATION NUMBER	CB/11/02261/OUT
LOCATION	Land at Pratts Quarry north of the A505, known as Pulford Corner, Leighton Linlade
PROPOSAL	Outline application for residential development of up to 75 dwellings, together with associated landscaping, open space, parking and access
PARISH	Leighton-Linslade
WARD	Leighton Buzzard South
WARD COUNCILLORS	Cllrs Berry, Bowater & Dodwell
CASE OFFICER	Adam Davies
DATE REGISTERED	09 August 2011
EXPIRY DATE	29 November 2011
APPLICANT	Arnold White Estates Ltd
AGENT	Mr M Schmull
REASON FOR COMMITTEE TO DETERMINE	Unresolved Town Council objection to major application
RECOMMENDED DECISION	Subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the completion of a prior Section 106 Agreement to secure essential planning obligations, Planning Permission be GRANTED

Site Location:

The broadly triangular-shaped application site with an area of approximately 3.02 ha previously formed part of Pratts Quarry on the southern boundary of Leighton Buzzard. The land is situated to the south of Site 15C which comprises part of the southern Leighton Buzzard Urban Area extension on the eastern side of Billington Road. To the south the site is bounded by the A505. The land immediately to the east forms the remainder of the working quarry and restoration area that will become a lake and balancing facility. To the west, on the opposite side of Billington Road, there is a mix of employment uses, a petrol filling station, a take away restaurant and open fields comprising Site 17 (land at Grovebury Farm) which also has outline planning permission for residential and associated development plus a local centre and community land.

The site is located within the designated South Bedfordshire Green Belt as defined on the Proposals Map of the South Bedfordshire Local Plan Review. The land also forms part of a Proposed Area of New Urban Open Space which also includes the lake area and balancing facility and additional land to the east. It is proposed that this larger area will provide a mixture of formal and informal open spaces including a lake.

The northern corner of the site is traversed by 400kW overhead power lines which run in an east-west direction. There is a single electricity pylon within the northern corner of the site which occupies an elevated position above the land to the north and east which descends steeply towards the remaining quarry area. A narrow stream and associated maintenance access run along the southern side of the site. The southern boundary is enclosed by a broad highway verge and mature hedgerow along the A505. From within the site there are views across the lake area to the east and the wider landscape to the south.

The Application:

Outline planning permission is sought for residential development of up to 75 dwellings, together with associated landscaping and open space. All matters are reserved for subsequent approval. As such the precise details of the access, siting, design, landscaping and appearance of the development will need to be determined at the approval of reserved matters stage.

The parameter plan for the application shows areas of residential development measuring up to 8 metres in height to the ridge. Two areas of residential development up to 11 metres in height to the ridge are proposed, one within the northern corner of the site, adjacent to the 'pylon land' and one within the south western corner of the site, adjacent to the Billington Road/A505 junction, intended as a landmark/gateway feature. Vehicular access is shown at two points from the approved residential development at Site 15C to the north. It is intended that the development would incorporate a mix of flats and family houses. The 75 dwellings would be built at a net density of 49 dwellings per hectare.

The overall intention for the Pulford Corner development is to match the general character of the approved residential development for the neighbouring sites and to ensure that the development forms an integral part of the southern neighbourhood of Leighton Linlade. The site would also form part of the Exemplar Transport Scheme for the Southern Leighton Buzzard Urban Area extension. The scheme is centred on Billington Road and aims to reduce car dependency in this part of Leighton Buzzard by 20 per cent through increased public transport use as well as the promotion of walking and cycling alternatives.

Subject to a satisfactory planning permission being granted, the applicant would facilitate vehicular access to Astral Park from Johnson Drive, in association with the proposed community facility and changing rooms. In association with the development at Pulford Corner, direct pedestrian and cycle access can also be provided to Billington Road across land owned by the applicants.

The application was submitted in combination with the application at Land South of Pages Field Sports Ground for residential development of up to 165 dwellings (reference CB/11/02263/OUT) and the application at Land at Stanbridge Road for residential development of up to 241 dwellings (reference CB/11/02264/OUT). Both of these applications have been formally withdrawn. These three applications were submitted with the aim of completing the southern neighbourhood of Leighton Linlade. The applications state that the southern Leighton Linlade urban extension has a shortfall of housing of approximately 580 dwellings because the overhead lines have not been diverted as was anticipated.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced the previous national planning policy documents.

Regional Spatial Strategy

East of England Plan (May 2008) Policies

SS1 - Achieving Sustainable Development
SS4 - Towns other than Key Centres and Rural Areas
SS7 - Green Belt
H1 - Regional Housing Provision 2001 to 2021
H2 - Affordable Housing
T2 - Changing Travel Behaviour
T9 - Walking, Cycling and other Non-Motorised Transport
ENV1 - Green Infrastructure
ENV2 - Landscape Conservation
ENV3 - Biodiversity and Earth Heritage
ENV6 - The Historic Environment
ENV7 - Quality in Built Environment
WM6 - Waste Management in Development

Milton Keynes & South Midlands Sub-Regional Strategy

Bedfordshire and Luton Policies 2(a) and 2(b): Luton/Dunstable/Houghton Regis and Leighton-Linslade.

Bedfordshire Structure Plan 2011

Policy 25 - Infrastructure

South Bedfordshire Local Plan Review Policies

BE8 - Design Considerations,
T10 - Controlling Parking in New Developments
H4 - Provision of Affordable Housing
R7 - Proposed Areas of New Urban Open Space in Leighton Buzzard and Linslade and Enhancement Proposals of Existing Open Space
R10 - Children's Play Area Standard
R11 - Provision of Open Space/Play Space in new developments

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review. Due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policies BE8, H4, R7, R10 and R11 are broadly consistent with the Framework and carry significant weight. Policy T10 carries less weight but is considered relevant to this application.

Bedfordshire & Luton Waste Local Plan 2005

W5 Management of wastes at source - Waste Audits
W6 Management of Waste of waste at source - Provision of facilities within new development.

Supplementary Planning Guidance

Design in Central Bedfordshire - A Guide for Development - adopted by the Luton & South Bedfordshire Joint Committee on 23/07/10.

South Bedfordshire District Council - Development Brief: Southern Leighton Buzzard Extension – adopted for development control purposes, 2006.

Luton and Central Bedfordshire Core Strategy - adopted for Development Management purposes by the CBC Executive on 23.08.11.

Bedfordshire and Luton – Managing Waste in New Developments, April 2006.

CBC Emerging Parking Strategy, Appendix F, Central Bedfordshire Local Transport Plan, endorsed for Development Management purposes by Executive October 2012.

Planning History

SB/OUT/03/1515	Outline permission for residential development of Site 15A (land to north) - Subject to Section 106 Agreement.
SB/TP/04/0167	Permission for construction of roads, sewers and pumping station.
SB/ARM/04/1627	Approval of Reserved Matters for 219 dwellings. (Site 15A phase one).
SB/ARM/05/1321	Approval of Reserved Matters for 330 dwellings. (Site 15A phase 2).
SB/TP/06/0865	Permission for access spine road – Granted on appeal.
SB/OUT/06/0869	Outline permission for up to 720 dwellings with site for single-storey lower school, associated play space, landscaping parking and access – Granted on appeal, Subject to Section 106 Agreement (Unilateral undertaking).
SB/TP/08/00726	Approval of reserved matters for the erection of 130 dwellings – Site 15B.
SB/TP/08/01031	Permission for the construction of a swale and related engineering works with associated landscaping – Site 15B.
CB/10/01214/FULL	Permission for the construction of a swale and related engineering works with associated landscaping – Site 15D.
CB/10/01257/RM	Withdrawn application for approval of reserved matters for the erection of 230 dwellings on part of site 15D (application for approval of reserved matters in respect of access, appearance, landscaping, layout and scale pursuant to outline planning permission SB/OUT/06 00869).
CB/10/03014/RM	Approval of reserved matters for the erection of 230 dwellings on part of site 15D (application for approval of reserved matters in respect of access, appearance, landscaping, layout and scale pursuant to outline planning permission SB/OUT/06 00869).
CB/11/01585/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale for the erection of 34 dwellings pursuant to outline planning permission SB/OUT/06/00869

	(Taylor Wimpey).
CB/11/01879/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale for the erection of 34 dwellings pursuant to outline planning permission SB/OUT/06/00869 (Persimmon Homes).
CB/11/02263/OUT	Withdrawn application for residential development of up to 165 dwellings at Land South of Pages Field Sports Ground.
CB/11/02264/OUT	Concurrent application for residential development of up to 241 dwellings at Land at Stanbridge Road. Withdrawn.
CB/12/00744/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale relating to the erection of 50 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869. Persimmon Homes.
CB/12/00751/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale relating to the erection of 55 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869. Charles Church Homes.
CB/12/00825/RM	Approval of reserved matters: access, appearance, landscaping, layout and scale relating to the erection of 115 dwellings, creation of a new vehicular access and public open space on part of Site 15C - pursuant to outline planning permission SB/OUT/06/00869. Taylor Wimpey Homes.

Minerals and Waste

BC/CM/18/1996	Minerals permission for Pratts Quarry.
BC/CM/03/1574	Extension and restoration of Pratts Quarry to provide new and informal public open space and associated lake (BC/CM/03/29 refers) (Regulation 3).
BC/CM/35/2004	Minerals permission for Pratts Quarry. Subject of a Section 106 Agreement.

Representations:

Town Council (21/10/2011)	<p>Objection.</p> <ul style="list-style-type: none"> • Land designated as Green Belt • High density of housing development in southern Leighton Buzzard • Overdevelopment within the Parish given the amount of housing development proposed for elsewhere in the town • This land should be kept as a 'green buffer'
The Leighton Buzzard Society (16/09/2011)	Object to Pulford Corner and Stanbridge Road applications as it appears that both sites are within the Green Belt. The Luton and Central Bedfordshire Core Strategy has been withdrawn from examination and should not be given any significant weight. Even if taken into account, the Core Strategy does not support the release of these sites from the Green Belt.

Campaign to Protect
Rural England
(29/09/2011)

The application is submitted on the basis of a housing shortfall as the National Grid power line has not been relocated. We find it extraordinary that the Development Brief for South Leighton Buzzard did not cater for this foreseeable eventuality and have a proper contingency plan in place. The delivery of housing on the RAF Stanbridge site does not support the applicant's proposals as it is expected that MOD activity on the site will be transferred elsewhere during the course of 2012. The Pulford Corner proposal would bring urban development up to the line of the Leighton Linlade Southern Bypass giving it greater prominence than would otherwise be the case. The proposal would be at the expense of land allocated for open recreation, a use consistent with its Green Belt status, whereas housing is not. The Development Brief did identify the opportunity for a landmark feature at the road junction but that this should be considered in the context of a Green Belt boundary review which has not happened. A feature building is not considered consistent with a landmark feature. The proposals are entirely inappropriate. This is not overridden by very special circumstances. It is not accepted that there will be a shortfall of funding for community facilities if the three applications are permitted. The costs of diverting the pylons would have been considerable. These costs have now been avoided thus reducing the overall cost of the Southern Leighton Buzzard development. It seems therefore that the total number of homes needed to support the costs of the development could also be reduced. The Green Belt designation overrides the presumption in favour of sustainable development in this case.

Neighbours None received.

Consultations/Publicity responses

Urban Design

(18/10/2011)

- The development needs to relate appropriately to the residential development to the north rather than backing onto Site 15C as suggested in the Design and Access Statement.
- The proposed emergency access does not align with the layout for the neighbouring development at Site 15C.
- The parameter plan should indicate building frontages and ensure the development fronts streets and open space.
- The parameter plan should include all roads shown on the illustrative layout.

- The illustrative layout indicates development fronting onto a rear parking court in the south east corner of the site. The development should be designed with appropriate distinctions between public and private space and housing fronting streets creating perimeter blocks.
- The parameter plan includes a landmark, five storey building in the south western corner of the site. The rationale of a landmark building in this position is accepted but a landmark building up to 3.5 to 4 storeys in height would be more in keeping with neighbouring development.
- Rear parking courts should be avoided where possible, apart from in connection with apartments.

The parameter plan for the development has subsequently been revised in response to these comments.

(6/7/2012)

- The Design & Access Statement should include a revised figure 1.2.1 (Pulford Corner illustrative masterplan) to accord with the revised parameter plan.
- It is unclear why acoustic fences have been included along two stretches of the A505 frontage. There is no reference to the acoustic fences in the addendum. Acoustic fencing does not present an attractive edge treatment and, if required, would be better incorporated within the landscaping belt.
- There should be building frontage along the whole of the southern boundary fronting the A505, rather than just the middle section.
- The relationship with site 15C is now acceptable.

The parameter plan for the development has subsequently been revised in response to these comments.

(29/10/2012)

The provision of a building frontage along the whole of the southern boundary fronting the A505 and the removal of the acoustic fencing addresses the concerns I raised previously. The length of boundary wall along the northern boundary in the south-west corner isn't ideal but this arrangement could be improved through appropriate landscaping and an L-shaped dwelling at the western end which would provide some presence along the northern boundary and some overlooking of the street.

Greensand Trust
(14/10/1011)

The applications only make passing reference to Stanbridge Meadows County Wildlife Site (CWS) which is very much supported and valued by the local community. Additional residential development will place additional pressures on the Stanbridge Meadows CWS site which will require mitigation. The operational phase should be monitored closely as impacts such as dust could have a significant impact upon ecology at specific times of the year.

Buckingham and River
Ouzel Internal Drainage
Board (13/10/2011)

Storm water would be disposed of by discharge to the adjacent lake. Provided this is the case no objection is raised in principle. Any increase in discharge to a nearby watercourse and/or the IDB area will require the Board's consent. The watercourse along the southern boundary of the site is within the control of the Board. No development should take place within 9 metres of the bank top without the Board's consent. This includes planting, fencing or other landscaping. Any planning permission granted should be subject to conditions requiring adequate storm water design and construction proposals.

Bedfordshire Police
Architectural Liaison
Officer (11/10/2011)

The Bedfordshire Community Safety SPG indicates that through-routes in residential areas should be avoided and kept to a minimum where required. Concerns are raised that the proposal appears overly circulatory and criminogenic. The Design and Access Statement does not adequately address community safety.

Highways Agency
(03/07/2012)

Directs that the development should form part of the Exemplar Transport Scheme for the Southern Leighton Buzzard Urban Area extension and should be subject to the same travel planning measures, monitoring and review criteria to ensure that the A5 trunk road continues to serve its purpose as part of a national system of through routes and to satisfy reasonable requirements of road safety. It is suggested that this should be secured by condition.

Voluntary and
Community Action South
Bedfordshire
(10/10/2011)

The three applications are neither supported or opposed. The argument that additional housing should be allowed due to a housing shortfall on neighbouring sites is not accepted as the neighbouring developments were permitted on the basis of the number of dwellings 'with pylons' and 'without pylons'. Any housing shortfall is a matter for the Local Planning Authority to address through the Housing Land Availability Assessment and the development plan process. It is agreed that the Development Brief for South Leighton Buzzard a landmark/gateway feature will be considered in the

context of a Green Belt review and the Sub Regional Strategy makes provision for this. There are no shops within the South Leighton Buzzard Urban Extension and limited shops available which are in close proximity. There is inadequate pedestrian and cycle links to Billington Road and inadequate access from Billington Road to the adjacent petrol station/McDonalds sites. The developments will increase the use of this road and this will require highway works, pedestrian and cycle links to mitigate against this. These matters should be addressed through modifications to the three applications or by planning condition.

Natural England
(09/07/2012)

The nearest nationally designated site is Nine Acres Pit SSSI, approximately 3km from the application site whilst King's & Baker's Wood and Heaths SSSI are at a distance of just over 4km. There is not likely to be an adverse effect on either site providing it is carried out in accordance with the submitted details.

The application site, at only 2.87ha, has only limited capacity to incorporate green infrastructure (GI), but we are pleased with the recommendations submitted in the Ecological Addendum. The landscape section highlights the use of green corridors, informal space, surface water attenuation areas as well as the lake with possible viewing platform, hedgerows and trees, which provides a reasonable range of GI for this site. Given the size of the development and the apparent lack of protected species on site this is adequate, although we encourage any continuation of the calcareous grassland on the adjacent Stanbridge Meadows CWS on the area of informal space and enhancement features to improve the area for European protected and BAP species. The GI in the wider development should range from formal open space to dedicated nature conservation habitats, with a multi-functional range of uses in between. Rather than designing formal open space/wildlife areas/amenity grassland, it is often possible to design these areas so they support both wildlife and people, thereby achieving biodiversity, recreation, and sustainable travel objectives. The Local Authority should review how the project fits in with the existing Bedfordshire and Luton Green Infrastructure Plan, at the strategic and local level and refer the planning authority and the developer to our own Green Infrastructure Guidance.

We have no comments regarding protected species, landscape or visual amenity.

Archaeology
(29/09/2011)

No objection. The Environmental Statement correctly identifies heritage assets with archaeological significance as a constraint and that the site has been subject to intrusive archaeological investigation which demonstrated the presence of medieval cultivation furrows but no other archaeological interests. The furrows were recorded prior to being destroyed through the mineral extraction in this area. The development will have no impact on any remaining heritage assets with archaeological significance.

Housing (28/09/2011
and 30/08/2012)

This application meets the threshold to provide affordable homes in accordance with our current SPG. Under planning policy, 35% affordable housing or 26 affordable units would be required.

Development viability discussions have determined that the scheme is capable of providing 20% affordable housing as part of the development in combination with the financial contributions agreed. Given the level of affordable housing accepted on Site 15C, I would accept 20% affordable housing on-site.

The units should be dispersed throughout the site and integrated with the market housing to promote community cohesion and tenure blindness. I would expect all units to meet the code for sustainable homes level 3 and meet all Homes and Communities Agency design and quality standards.

Sport England
(23/09/2011)

No specific comments as the applications would not fall within the definition of major housing development upon which Sport England would normally be consulted as a non-statutory consultee. However, the South Bedfordshire Playing Pitch Strategy (June 2008) shows deficiencies and Leighton Buzzard has one of the highest deficiencies of playing pitches in the East of England. These developments should therefore make provision for additional sports facility need that they will generate. An off-site contribution in line with the Council's Planning Obligations SPD is required. It should be noted that the Pulford Corner site forms part of a Proposed Area of New Urban Open Space which would otherwise provide a mixture of formal and informal open spaces including a lake.

Anglian Water
(20/09/2011)

Any planning permission should be subject to a condition requiring the approval of a surface water strategy/flood risk assessment.

Public Protection (12/09/2011)	No objection in principle subject to conditions to address noise disturbance to future residents and contamination risks to human health, surface water, ground water and the wider environment.
English Heritage (12/09/2011)	It is not considered that there are any designated heritage assets within close proximity. There is potential for undesignated heritage assets within the Pages Field and Stanbridge Road sites. The justification for revisions to the Green Belt boundary is unclear.
CBC Drainage Officer (31/08/2011)	The flood risk assessment and drainage statement appears acceptable and I have no further comments or concerns at this stage. I am not aware of any surface water flooding issues with the site.
Environment Agency (30/08/2011)	The development will only be acceptable with the agreement of the Internal Drainage Board that the proposals are acceptable. Subject to this, the Environment Agency recommends a condition requiring approval of a surface water drainage scheme and a condition stating that development shall not commence until the adjacent lake for surface water attenuation on the site is fully operational.
NHS Bedfordshire (5/10/2011)	Requests that normal Section 106 Obligations are negotiated.
National Grid (30/10/2012)	No objection.
Highways	Awaiting formal comments. Consider that an acceptable scheme could be achieved at the detailed stage, subject to the appropriate conditions. Any additional highways conditions will be presented to Members as part of the Committee Late Sheet.
Strategic Planning and Housing Team (11/11/2011)	Reference is made to three allocated housing sites: Brickyard Quarry, Pratts Quarry and Grovebury Farm. At the time of the adoption of the Local Plan, it was anticipated that these sites could provide a total of 1,392 dwellings. This was dependent upon the removal of the National Grid pylons which traverse these sites. The applicant considers that the extension of the 'wayleave' for the pylons would lead to a total loss of 159 dwellings across these sites. The Council's own assessment indicates a total loss of 188 dwellings.
	The applicant also suggests that 422 dwellings to be provided at RAF Stanbridge should be removed from the Council's land supply assessment as the site has not

been identified by the Government as a site that will be disposed of. It is also suggested that the Ministry of Defense currently has no intention to develop the site. The latest information suggests that this site will be disposed of in 2013 and a yield of 200 dwellings can be assumed for this site based on the developable land available. This represents a shortfall of 222 dwellings.

It is therefore considered that the total reduction of housing across all four sites is 410 dwellings. Not 581 dwellings as indicated by the applicant.

This reduction needs to be considered in the context of the 2,136 dwellings predicted to be delivered in Leighton Linlade within the five year supply period and the 7,682 dwellings predicted to be provided within the whole of the Luton and southern Central Bedfordshire area. In addition, beyond the five year period, the East Leighton Linlade urban extension will provide a further 1,900 dwellings between 2017/18 and 2024/2025. There is therefore a considerable supply of sites coming forward across the area and it is considered that, despite the reduction in dwelling number against Local Plan targets, Leighton Linlade is making a significant contribution to overall provision.

The Development Plan incorporates the East of England Plan (the Regional Strategy). The Regional Strategy was adopted at a time of economic prosperity, prior to the present recession. The Coalition Government's intention to abolish Regional Strategies is a material consideration for the decision maker. A five year housing requirement for the Luton and southern Central Bedfordshire area, using a 15-year plan period equates to 8,752 dwellings for the period of 2012/13 to 2016/17. Against this requirement there is currently a 4.39 year supply. However given the status of the Regional Strategy, it is more appropriate to base the five year requirement on the endorsed Core Strategy. Based on the housing requirements set out in the endorsed Core Strategy, there is currently a 4.83 year housing supply for the area. It is acknowledged that this represents a very minor shortfall by 0.17 years of the required five year housing land supply. It is not considered that this shortfall is sufficient to warrant unacceptable development. Even if based upon the current Regional Strategy, a shortfall of 0.61 year supply is still not considered sufficient to warrant approval of these housing schemes.

Furthermore, the Core Strategy housing numbers are based primarily upon a Luton-based need and much of

the development within Central Bedfordshire will contribute to meeting the need arising from Luton. Should the housing needs of Central Bedfordshire be considered on its own merits and compared with the Central Bedfordshire supply of sites, there would in fact be in excess of a five year deliverable housing land supply.

Determining Issues

The main considerations of the application are;

1. Principle of development
2. Design concept, density, affordable housing
3. Landscape, biodiversity and archaeology
4. Residential amenity
5. Safe and secure environment
6. Highways

Considerations

1. Principle of development

The application site is located outside of the settlement envelope of Leighton-Linslade and is within the South Bedfordshire Green Belt. The protection of Green Belts is one of the core planning principles embodied within the National Planning Policy Framework (NPPF), published March 2012. Accordingly, most types of development within the Green Belt, including new dwellings, are considered inappropriate development. The proposal therefore constitutes inappropriate development and is, by definition, detrimental to the Green Belt. The erection of 75 new dwellings and associated development would also result in a reduction in openness and this would also be to the detriment of the Green Belt.

The application site forms part of a Proposed Area of New Urban Open Space which includes the lake area and balancing facility and additional land to the east. In accordance with saved Policy R7 of the South Bedfordshire Local Plan Review, it is proposed that this 33.26 ha site will provide a mixture of formal and informal open spaces including a lake. The proposed development relates to approximately 3.02 ha of this larger area. Whilst the application also seeks planning permission for areas of landscaping and open space, the Design and Access Statement states that 52% of the site is proposed for built development. As such the proposal would result in the loss of part of this Proposed Area of New Urban Open Space.

The proposal is therefore in conflict with Policy R7 and the objectives of the NPPF regarding the protection of Green Belt land. The NPPF sets out that inappropriate development within the Green Belt should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is therefore necessary to consider whether very special circumstances exist which are sufficient to outweigh the harm identified.

The Agents to the application have set out a case for very special circumstances which can be summarised as follows:

- The Southern Leighton Buzzard Development Brief anticipated a review of the Green Belt at Pulford Corner to be considered in the context of emerging strategic policy and undertaken as part of the preparation of a Site Allocations DPD or Neighbourhood Plans.
- The Section 106 Legal Agreement relating to the redevelopment of Sites 15B-D is phrased in such a way as to anticipate the future development of Pulford Corner.
- The existing Green Belt boundary does not follow any feature on the ground. It is not a defensible boundary under the terms of the NPPF. The most obvious current boundary is the A505. The development would reinforce this boundary by including a landscape buffer to the A505.
- As Site 15 was planned around a Green Belt boundary with no physical demarcation, the shape of the development on the site and its relationship to surrounding features appears arbitrary and incomplete. The proposal represents an opportunity to create a more complete and coherent development, make better use of the assets on the site, such as the lake, by creating more positive relationships with the surrounding features. The scheme would also create a stronger entrance and finished edge to the town. The development would help to mitigate the visual impact of the pylons by emphasising the line of the A505 and the lake.
- Subject to a satisfactory planning permission being granted, the applicant would facilitate access to Astral Park from Johnson Drive.
- In association with the Pulford Corner development, pedestrian and cycle access from Site 15C/Pulford Corner can be provided across land owned by the applicant to Billington Road to the west. There is no other way that this important access can be provided.
- The need to complete the Southern Leighton Buzzard Urban Extension (in terms of housing numbers and infrastructure provision) which cannot be achieved without encroaching onto land which is currently designated as Green Belt; and
- The lack of a demonstrable 5 year housing land supply. The development would make a timely contribution to the delivery of housing.

The development at Southern Leighton Buzzard was anticipated to deliver 2,458 dwellings. The number of dwellings was based on the whole of the site being developed following the relocation of the overhead power lines. The power lines will not now be moved thus reducing the number of houses which can be built on the site. The applicants also claim that there is some question over whether Phase 2 of the RAF Stanbridge site will come forward. However RAF Stanbridge is expected to come forward for residential development within the five year period and, notwithstanding the reduction in housing which can be provided against Local Plan targets, there is a considerable supply of sites coming forward across the area. Leighton Linlade is making a significant contribution to the overall provision of housing for the wider area, particularly given the planned East of Leighton Linlade urban extension which would provide around 2,500 dwellings. The actual shortfall in the five year housing land supply is considered minor and represents a period of 0.17 years against the requirements of the endorsed Core Strategy or a period of 0.61 years in terms of

the East of England Plan. It is not considered that this shortfall is sufficient to warrant approval of inappropriate development within the Green Belt.

In addition, the requirements of the endorsed Core Strategy are based primarily upon a Luton-based need and much of the development within Central Bedfordshire will contribute to meeting the need arising from Luton. Should the housing needs of Central Bedfordshire be considered on its own merits and compared with the Central Bedfordshire supply of sites, there would in fact be in excess of a five year deliverable housing land supply.

The reduced number of dwellings which can now be provided on allocated housing sites, traversed by the National Grid pylons will result in a lower level of financial contributions coming forward from the development as the level of contributions is based on a "roof tariff" approach, whereby the funding which can be secured is directly determined by the number of units built. The applicant states that the Local Authority will still need to provide the same level of community facilities with less money now being provided from the development. Accordingly the financial contributions for the Pulford Corner development have been discussed on the basis of the tariffs applied to the neighbouring residential development to the north and the Council's current Planning Obligations SPD. The resultant monies would significantly contribute towards the delivery of the school facilities, formal and informal open space, community facilities, highways improvements and the Exemplar Transport fund which are required for the larger urban extension.

The Section 106 Legal Agreement (a Unilateral Undertaking provided at Public Inquiry Appeal) relating to the redevelopment of Sites 15B-D (appeal planning permission SB/OUT/06/0869 refers) sets out a range of planning obligations in respect of public open space for various parcels of quarry land in and around Sites 15B-D, including Pulford Corner. Schedule Two of the Agreement states that, upon cessation of mineral extraction, or no later than June 2016, the developer shall offer to grant a licence (and if accepted will grant a licence) of the Pulford Corner land to the Council or its nominee for the purposes of informal public access. The Legal Agreement is worded to allow the developer to revoke the licence for the Pulford Corner land. This illustrates that the Legal Agreement was drafted so as to anticipate future development on the Pulford Corner land.

The Development Brief for the Southern Leighton Buzzard Urban Extension 2006 was prepared to guide development on Sites 15, 17 31 and the neighbouring land to which Policy R7 relates, including Pulford Corner. Paragraph 4.4.10 of the Development Brief states: "There is an opportunity in the longer term, for a landmark/gateway feature at the A505/Billington Road junction. The nature of this will be the subject of discussions between South Bedfordshire District Council and landowners/developers in the context of the emerging strategic policy and the review of the Green Belt around Leighton-Linslade specified in the Milton Keynes South Midlands Sub-Regional Strategy. It is important to ensure that the possibility of providing such a landmark/gateway feature is not precluded by the layout, form and disposition of development in the urban extension". Although the Green Belt boundary has not been subject to a revision through the preparation or review of the Development

Plan, the Development Brief for the Southern Leighton Buzzard Urban Extension does provide for an expectation that the Pulford Corner site may be developed and offers the opportunity to improve how the larger urban development relates to surrounding features through the creation of a landmark/gateway development at the entrance to town.

In connection with the Pulford Corner development, the applicant would allow for vehicular access from the unadopted Johnson Drive and adjoining land also under their control, to the public open space at Astral Park. This would create an important public link from the existing and future urban development to the south at Site 15 allowing both improved access to informal and formal open space and more significantly improved access to community facilities and sports changing rooms to be provided in 2013 by the Town Council and Council as part of a £1.2 million investment of Section 106 monies for the locality in general. Land in the ownership of the applicant on the eastern side of Billington Road adjoining Site 15C is also essential to ensure suitable pedestrian and cycle links and permeability for the approved housing scheme on both that and this site. These links can only be achieved with the agreement of the landowner and would need to be secured through Legal Agreement as part of a planning permission for this current application. In order to achieve this the applicant, as landowner, proposes to transfer the freehold of Johnson Drive and Turnham Drive to Central Bedfordshire Council with an obligation for the landowner/developer to enable access for construction of facilities at Astral Park, access for their use and to bring the roads up to an adoptable standard within an agreed timeframe. The applicant also proposes to transfer the ownership of the swale land adjacent to Kestrel Way as part of the same Agreement.

A Section 106 proposal has been developed following discussions with the landowner and relevant consultees, to secure essential contributions required for the larger urban development. In principle it is considered that on balance, the totality of the benefits of the development are sufficient to clearly outweigh the policy objection to the proposal.

In accordance with The Town and Country Planning (Consultation) (England) Direction 2009, Local Planning Authorities in England are required to consult the Secretary of State before granting planning permission for certain types of development. This Direction applies in relation to any application for Green Belt development received by a planning authority on or after 20 April 2009. In this context, "Green Belt development" means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, and which consists of or includes the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. The purpose of the direction is to give the Secretary of State an opportunity to consider whether to exercise her call-in powers under Section 77 of the Town and Country Planning Act 1990. The Town and Country Planning (Development Management Procedure) (England) Order 2010 gives the Secretary of State power to issue directions restricting the grant of planning permission by a Local Planning Authority, either indefinitely or during such a period as may be specified in the directions. In this case, the proposal

constitutes “Green Belt development” for the purposes of the 2009 Direction and therefore the Local Planning Authority is required to consult the Secretary of State, prior to granting planning permission.

2. Design concept, density, affordable housing

The development has been designed as a direct extension to the neighbouring housing scheme to the north at Site 15C and would incorporate a mix of flats and family houses. The Pulford Corner development would be built at a net density of 49 dwellings per hectare. This would be comparable to the approved residential development on Site 15C which, on the land to the south of the electricity pylons which traverse the site, would also be developed at a net density of 49 dwellings per hectare. Having regard to the revised illustrative masterplan, it is considered that the site is capable of accommodating 75 dwellings in a way which will relate well to the adjacent approved housing.

The parameter plan and illustrative masterplan show the proposed residential development arranged in perimeter blocks, measuring up to 8 metres in height, orientated to address the housing on Site 15C, the landscaped area along the southern edge of the site and the open space area to the east associated with the lake. Two areas of taller development, measuring up to 11 metres in height are proposed. One of these would be located within the northern corner of the site, adjacent to the ‘pylon land’. The other is intended to provide a landmark/gateway feature at the A505/Billington Road junction, as anticipated within the Southern Leighton Buzzard Extension Development Brief. The parameter plan and illustrative masterplan have been subject to various revisions in light of the comments of the Council’s urban design consultant and are considered acceptable. However the application is made in outline only and points of detail will be dealt with at reserved matters stage.

East of England Plan Policy H2 sets out that, at the regional level, delivery of affordable housing should be monitored against the target of 35%. Development viability discussions have determined that the target of 35% affordable housing cannot be met. In combination with the financial contributions agreed on the basis of the tariffs applied to the neighbouring residential development to the north and the Council’s current Planning Obligations SPD, the scheme is capable of providing 20% affordable housing as part of the development, equating to 8 affordable rent and 7 shared ownership units. This represents a similar proportion of affordable housing approved as part of the adjoining residential development on Site 15C and this level of affordable housing is considered acceptable for the Pulford Corner development. The level and type of affordable housing will be secured through Section 106 Agreement.

3. Landscape, biodiversity and archaeology

As the site presently forms part of a restoration scheme to provide new public open space for the lake area, it is necessary to consider whether the proposed housing development would conflict with the requirements of the minerals and waste planning permission for the restoration of the lake and ensure that the proposal could achieve a scheme which is acceptable in terms of the management of the public open space.

In this respect the parameter plan shows a reasonable corridor along the southern boundary of the site to allow for a public right of way to be re-established and a maintenance strip for the adjacent watercourse to be retained. This arrangement would also allow for a "landscape buffer" zone adjacent to the A505, which would help to mitigate the visual impact of the urban development in views from the south and provide separation between the residential area and the bypass. Together with the road, this landscaped edge would provide a clear physical demarcation of the edge of the built-up area.

Whilst the parameter plan is only intended to provide a basic layout on which the detailed scheme would be based, adequate consideration should be given to how the housing area would relate to the circuit lakeside path. The quarry restoration drawing shows a proposed block of woodland planting to the west of the circuit path (i.e. within the residential application area) whereas the parameter drawing describes the same general area as 'informal open space'. The proposed residential footprint would reduce the land area for the proposed woodland planting area. However, the current quarry restoration drawing has not been formally approved under the existing minerals and waste permission and will need to be revised in the event that planning permission is granted.

The parameter plan shows perimeter blocks designed to address the informal open space to the east. The supporting information for the application indicates that the eastern edge of the development would be treated as an extension of both the informal space around the lake and pylon corridor and would include informal play areas and space for surface water attenuation. The space to the east may also include formal elements such as a viewing point over the landscape and lake to serve as a focus for the street fronting the eastern edge of the site. The details of the development should be designed to reflect the need to integrate the development with the surrounding lakeside landscape and enhance the visual amenity of the site to both passive and active users of the lake. In line with the Council's Green Infrastructure Guidance, the proposal should also represent an opportunity to create new habitat features as part of the larger area of informal open space and respond to the long-term objectives for the landscaped areas around the lake. A scheme for the laying out, landscaping and maintenance and management of the areas of informal open space and amenity land forming part of the development should therefore be required by condition.

The Environment Agency consider that the proposal would not present risks of flooding if surface water run-off is effectively managed. It is recommended that development should not commence until the adjacent lake for surface water attenuation is fully operational and that this should be controlled by condition. No such condition was imposed upon the approved housing scheme for Site 15C which adjoins the Pulford Corner site. In accordance with the standard time limit for implementation which would have to be imposed as part of any outline planning permission, the development would need to commence on site within three years of the date of the outline permission, or within two years of approval of the last of the reserved matters, whichever is the later. The full restoration of the lake area and the operation of the lake for surface water attenuation is dependant upon the cessation of quarrying activity on site and may take several years. Given the timeframe within which the lake will become fully operational,

this type of condition may therefore result in a permission being impossible to implement. Officers are presently discussing the appropriateness of this condition with the Environment Agency. Notwithstanding this, a detailed surface water drainage scheme and a timeframe for its implementation can be secured by condition in line with the advice of the Environment Agency, the Buckingham and River Ouzel Internal Drainage Board and Anglian Water.

Pulford Corner and the larger quarry area have been subject to intrusive archaeological investigation which demonstrated the presence of medieval cultivation furrows. The furrows were recorded prior to being destroyed through quarrying activities. No other archaeological interests have been discovered as part of the intrusive investigation. Archaeology Officers therefore raise no objection to the proposal.

4. Residential amenity

Due to the location of the site adjacent to the A505, noise attenuation measures will be required to ensure the impact of road traffic noise upon the future occupiers is mitigated appropriately. In terms of the relationship between the dwellings and the A505, building orientation and landscaping, the principles of noise attenuation have been considered at the outline stage. These are reflected within the revised parameter plan and illustrative masterplan such that the need for the more potentially intensive use of fencing attenuation should be able to be avoided. However, noise attenuation measures would also need consideration at the detailed stage in terms of building design and construction. This can be dealt with by way of planning condition. Public Protection has advised that any potential land contamination can also be dealt with by an appropriately worded condition.

Subsequent reserved matters applications would need to address the detail within the scheme, and ensure that solutions and measures will be adopted to ensure the consideration of privacy, relationships between dwellings, garden spaces and relationships with access roads, footpaths and public spaces.

5. Safe and secure environment

The Bedfordshire Police Architectural Liaison Officer has raised concerns that the parameter plan layout is needlessly circulatory and considers that the development provides a permeable movement network which could lead to increased anti-social behaviour and crime. Reserved matters applications will need to demonstrate that they have been designed to maximise security and a sense of ownership of the overall environment. All buildings and public spaces will need to incorporate measures to reduce crime opportunities. Design of car parking and garaging will need to be carefully addressed at the reserved matters stage.

6. Highways

It is intended that the Pulford Corner development would form part of the Exemplar Transport Scheme for the Southern Leighton Buzzard Urban Area extension, which has had sustainable transport as a key guiding principle. In response to this principle, the Exemplar Sustainable Transport Scheme was set up by the then Bedfordshire County Council, South Bedfordshire District Council, Friends Of The Earth, Stuart Michael Associates and Arnold White

Estates. This is now being carried on by Central Bedfordshire Council in conjunction with the other original partners. The Exemplar Sustainable Transport Scheme aims to reduce car dependency in this part of Leighton Buzzard by 20 per cent. The scheme, which is centred on Billington Road, aims to increase public transport use as well as promote walking and cycling alternatives. The project aims to provide the Southern Leighton Buzzard Urban Area extension with up-to-date service information. This will include a real-time bus information screen in the dwellings, which will help residents make the most of public transport and plan their journey before they leave the house. The scheme will also provide funding for improvements to the town centre's facilities. Other key features of the scheme include a bus service up to every 15 minutes to the town centre and railway station, from early morning into the evenings; secure cycle parking for every home, matched by increased cycle parking in the town centre and the railway station. It is also intended to 'civilise' (traffic calm) Billington Road to the town centre, which will make it a safer and more pleasant place to walk and cycle and in this connection the provision of land to the east of Billington Road through this development would be an important and integral part of the Billington Road corridor 'civilisation' from the bypass. An important part of the Exemplar Scheme has already been undertaken as the Dash Direct bus service is currently operating regularly between this area of the town, the town centre and the railway station.

The parameter plan indicates that vehicular access to the site would be taken at two points from the approved residential development at Site 15C to the north. Given that the application is made in outline, points of detail relating to parking provision and pedestrian and cycle links will be dealt with at reserved matters stage. Highways consider that an acceptable scheme could be achieved at the detailed stage, subject to the appropriate conditions being attached to any permission granted.

7. Section 106 matters

Development viability discussions have determined that the applicant is able to offer a total financial contribution of £643,937 for the Pulford Corner development. These have been discussed on the basis of the tariffs applied to the neighbouring residential development on Site 15 to the north and the Council's current Planning Obligations SPD. This would provide for contributions towards education and health facilities, leisure, recreation open space and green infrastructure, social and community infrastructure, waste management, emergency services and the Exemplar Transport fund which are required for the larger urban extension. Any Legal Agreement would also need to secure access to Astral Park proposed community facilities for the locality and secure access to Billington Road for pedestrians and cyclist. Members are requested to consider the planning contributions offered and the manner in which these might be apportioned.

Recommendation

That, subject to the prior consultation of the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the completion of a prior Section 106 Agreement to secure access to Astral Park proposed community facilities for the locality, the bringing forward of access to

Billington Road for pedestrians and cyclists, and essential planning obligations, that the Head of Development Management be authorised to GRANT Planning Permission subject to the following:

- 1 An application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 (2) (a) and (4) of the Town and Country Planning Act 1990.

- 2 Approval of the details of the access, appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of all of the reserved matters referred to above shall be submitted in writing to the Local Planning Authority and the development shall be implemented as approved.

Reason: To enable the Local Planning Authority to exercise control over the said matters which are not particularised in the application for planning permission in accordance with Section 92 of the Town and Country Planning Act 1990 and Town and Country Planning (General Development Procedure) Order 1995.

- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Sections 92 (2) (b) and (4) of the Town and Country Planning Act 1990.

- 4 **Before development begins, details of the materials to be used for the external walls and roofs of the dwellings hereby approved shall be 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 protect, as far as possible the character of the locality. (Policy BE8 S.B.L.P.R.).

- 5 **No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of screen fencing and/or walling and including the timing of its implementation. The development shall be carried out in accordance with the agreed details.**

Reason: To safeguard the amenity of the area. (Policy BE8, S.B.L.P.R.).

- 6 **Before development begins, a landscaping scheme to include any hard surfaces and earth mounding shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of any existing trees and hedgerows to be retained as part of the development and details of protection measures for the retained trees and hedgerows. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The new and retained 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 and maintained until satisfactorily established.**

**Reason: To ensure a satisfactory standard of landscaping.
(Policy BE8, S.B.L.P.R.).**

- 7 **Prior to the commencement of any phase of development approved by this planning permission the developer shall submit to the Local Planning Authority for written agreement:**

- a) **A Phase 1 Desk Study incorporating a site walkover, site history, maps and all further features of industry best practice relating to potential contamination.**
- b) **Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation report further documenting the ground conditions of the site with regard to potential contamination, incorporating appropriate soils and gas sampling.**
- c) **Where shown to be necessary by the Phase 2 Site Investigation, a Phase 3 detailed scheme for remedial works and measures to be taken to mitigate any risks to human health, groundwater and the wider environment.**
- d) **On completion of the development, the developer shall provide written confirmation that any and all works have been completed in accordance with the agreed remediation scheme in the form of a Phase 4 validation report to incorporate photographs, material transport tickets and sampling.**

Any remediation scheme, including variations, shall be submitted in writing to the local planning authority for the agreement prior to the commencement of such works. This should include responses to any unexpected contamination discovered during works.

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

Applicants are advised that, should groundwater or surface water courses be at risk of contamination during or after development, Environment Agency (EA) approval of measures to protect water

resources must be sought. Waste Licensing and related matters are also in the remit of the EA.

Reason: To protect human health and the environment.

- 8 **Prior to the commencement of the development hereby permitted, the applicant shall submit in writing for the approval of the Local Planning Authority a scheme of noise attenuation measures which will ensure a minimum standard of internal noise level from external noise sources of 30dBLAeq, 23:00-07:00 and that internal noise levels from external noise sources shall not exceed and 45dBLAmax 23:00-07:00 inside any bedroom and 35dBLAeq, 07:00-23:00 in any habitable room. External noise levels from external sources shall not exceed 55dBLAeq 1hour in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local planning authority in writing before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Local Planning Authority. The scheme shall identify any windows which need to remain closed in order to limit external road traffic noise to meet this standard. Those windows shall be fixed closed and shall be permanently non-opening. Alternative means of ventilation must be provided in those rooms affected.**

**Reason: To protect the amenity of residents.
(Policy BE8, S.B.L.P.R).**

- 9 **Prior to the commencement of development, a scheme for surface water drainage shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The scheme shall include the following:**

- **Full detailed calculations using FEH rainfall data showing the simulated rainfall storms for the 1 year, 30 year, 100 year and 100 year plus climate change;**
- **Detailed plans and drawings showing the proposed drainage system in its entirety, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum). This shall include all elements of the system proposed, including source control, storage, flow control and discharge elements;**
- **Details of flow control measures to be used, demonstrating that runoff rates will not exceed those give in Tables 7 and 8 within Section 6.21 of the agreed Flood Risk Assessment dated 7 June 2011, reference 3722.FRA (FINAL) Issue 02, compiled by Stuart Michael Associates;**
- **Full calculations of the attenuation storage volume required, based on the simulated rainfall runoff and the agreed post-development discharge rates;**

- **Full details o the maintenance and/or adoption proposals for the drainage system including all elements listed above.**

The scheme shall be implemented as approved.

Reason: To ensure that suitable provision is made for surface water drainage.

10 **No development shall take place on a phase of the development until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme, relating to both the construction works forming part of the development and the subsequent use and occupation of the dwellings and open space created, to include details of:**

- (i) the anticipated nature and volumes of waste that will be generated by the development;**
- (ii) measures to minimise the generation of waste as a result of the building, engineering and landscaping works;**
- (iii) measures to maximise the re-use on-site of such waste;**
- (iv) details of the bin storage and collection arrangements**
- (v) measures to be taken to ensure effective segregation at source of other waste arising during the carrying out of such works, including the provision of waste sorting, storage, recovery and recycling facilities as appropriate;**
- (vi) measures to be taken to encourage the users and occupiers of the completed development to manage their waste effectively and sustainably;**
- (vii) provisions for the monitoring of (i) to (v); and**
- (viii) the timing of its implementation;**

The measures forming part of that scheme shall be carried out in accordance with it.

Reason: In the interests of amenity and to ensure waste is managed effectively and sustainably.

11 **Prior to the initial occupation of the development, a residential travel plan shall be submitted to and approved in writing by the Council. The travel plan shall include details of:**

- Predicted travel to and from the site and targets to reduce car use.
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks.
- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport.
- Timetable for implementation of measures designed to promote travel choice.
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority.
- Details of provision of cycle parking.
- Details of marketing and publicity for sustainable modes of transport to

include site specific welcome packs. Welcome packs to include walking, cycling, public transport and rights of way information.

- Details of the appointment of a travel plan co-ordinator.

The travel plan shall then be implemented in accordance with the timetable contained therein.

Reason: To reduce reliance on the private car by promoting public transport and sustainable modes of transport.

- 12 **Before development begins, a scheme for the parking of cycles on the site shall be submitted to and approved in writing by the Local Planning Authority. Before the initial occupation of the individual dwellings the cycle parking scheme for that individual dwelling shall be fully implemented 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.

- 13 **No development shall take place until a scheme for the laying out, landscaping and maintenance and management of all of the areas of informal open space and amenity land forming part of the development site, including that under the overhead pylons crossing the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the timing of its implementation and shall reflect the need to integrate the development with the surrounding lakeside landscape and enhance the visual amenity of the site to both passive and active users of the lake. The landscape management plan shall provide long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas including details of any new habitat features to improve the area for European protected and BAP species. The works and other measures forming part of that scheme shall be carried out in accordance with it.**

Reason: To protect and enhance the character of the locality and ensure the protection of wildlife and supporting habitats opportunities (Policy BE8 S.B.L.P.R and Policy ENV1 E.E.P).

- 14 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted parameter plan number FIGURE 1.31. Revision D.

Reason: For the avoidance of doubt.

Reasons for Granting

The proposed residential scheme would be inappropriate development within the Green Belt. However, having regard to the provisions of the Southern Leighton Buzzard Development Brief (2006); the Unilateral Undertaking of the adjoining residential development at Site 15C-D allowed at appeal; that the limited importance of the area to the

long term Green Belt is therein acknowledged; the bringing forward of the provision of access to Astral Park proposed community facilities for the locality; the bringing forward of access to Billington Road for pedestrians and cyclists; and the securing of essential contributions required for the larger urban development, it is considered that, on balance, very special circumstances exist which are sufficient to clearly outweigh the harm to the Green Belt arising from the development and the loss of part of the Proposed Area of New Urban Open Space. The proposed development is capable of achieving an acceptable scheme in terms of the impact upon the character and appearance of the locality and incorporating adequate landscaping, road, cycle and footpath routes, parking, amenity areas and residential mix. The proposal is therefore in conformity with Supplementary Planning Guidance contained within Central Bedfordshire Design Guide: A Guide for Development 2010, the Council's Planning Obligations SPD, the development plan policies comprising the East of England Plan (May 2008), the Milton Keynes & South Midlands Sub-Regional Strategy, the Bedfordshire Structure Plan 2011, the South Bedfordshire Local Plan Review and national guidance contained in the National Planning Policy Framework.

Notes to Applicant

1. The development is subject to a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.
2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the Development Plan comprising of the East of England Plan (May 2008), Bedfordshire Structure Plan 2011 and the South Bedfordshire Local Plan Review.
3. 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.
4. The watercourse along the southern boundary of the site is within the control of the Buckingham and River Ouzel Internal Drainage Board. No development should take place within 9 metres of the bank top without the Board's consent. This includes planting, fencing or other landscaping.
5. With respect to the construction phase, the applicant has cited a number of measures to minimise the escape of dust. The applicant's attention is also drawn to the Mayor of London's Best Practice Guidance *The Control of Dust and Emissions from Construction and Demolition*. Mitigation measures should also include solid barriers to the site boundary where necessary. Contractors shall employ the "best practicable means" as defined in the Control of Pollution Act 1974 to minimise noise and vibration resulting from their operations and shall have regard to British Standard BS 5228:2009 Code of Practice for Noise Control on Construction and Open Sites. Normal working hours are 08:00-18:00 Monday to Friday, 08:00-13:00 Saturday and no working on Sunday, Bank Holidays and Public Holidays.

6. With regard to the requirement for a surface water drainage scheme as part of this permission and the submitted Flood Risk Assessment dated 7 June 2011, reference 3722.FRA (FINAL) Issue 02, compiled by Stuart Michael Associates, the applicant is advised that the following detailed matters require further consideration:

- (a) The figures for QBAR in Table 1 (Section 6.9) should be given as litres per second, not litres per second per hectare;
- (b) Section 6.17 should be amended to demonstrate that water butts will not be considered in any calculations as a method of source control. These are water efficiency measures and are therefore to be encouraged. However, they are unreliable as a measure of source control;
- (c) Figure 3 shows a diversion of a watercourse, although this is not referred to within the Flood Risk Assessment.
- (d) All of the simulated storm return periods within appendices G and H are greater than 60 minutes in duration. It is recommended that FEH rainfall data (as opposed to FSR) is used in these circumstances.

Should you wish to discuss these matters further please contact the Environment Agency directly prior to the submission of a detailed surface water drainage scheme pursuant to this permission.

DECISION

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