

## Item No. 9

<b>APPLICATION NUMBER</b>	<b>CB/13/00728/OUT</b>
<b>LOCATION</b>	<b>Land off Steppingley Road and Froghall Road, Flitwick</b>
<b>PROPOSAL</b>	<b>Outline: The construction of up to 400 new homes, up to 4,400 Sq metres of employment floorspace within class B1 (Business) and Class B2 (General Industrial) Development; new access arrangements from Steppingley Road and Froghall Road, including engineering works on Froghall Road; provision of public open space; associated infrastructure including a storm water basin and the demolition of 8 former agricultural buildings.</b>
<b>PARISH</b>	<b>Flitwick</b>
<b>WARD</b>	<b>Flitwick</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Mrs Chapman, Gomm &amp; Turner</b>
<b>CASE OFFICER</b>	<b>Hannah Pattinson</b>
<b>DATE REGISTERED</b>	<b>27 February 2013</b>
<b>EXPIRY DATE</b>	<b>29 May 2013</b>
<b>APPLICANT</b>	<b>Old Road Securities Plc</b>
<b>AGENT</b>	<b>Framptons Planning</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>A major development which is considered to be contrary to the Development Plan and is recommended for approval</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval</b>

### Recommended Reasons for Granting

The site is allocated for a mixed use development to provide a *minimum* of 450 dwellings and at least 1.1 ha of B1 and B2 employment land under Policy MA2 of the Central Bedfordshire (North) Site Allocations DPD. Whilst the application proposes *up to* 400 dwellings the lower number of dwellings proposed is considered to be acceptable in view of there no longer being minimum density requirements set by Central Government and a general acceptance of lower density developments. The application has however been advertised as a departure from Development Plan policy for the above reason.

The proposal will deliver a sustainable form of mixed use development which will include provision of 1.1 Ha of employment land, affordable housing, on site open space facilities, off-site highways improvements and financial contributions towards infrastructure to mitigate the local impacts of the development. The proposal is considered to be in accordance with relevant sections and policies of the National Planning Policy Framework, Central Bedfordshire (North Area) Core Strategy and Development Management Policies 2009, Affordable Housing (July 2004) and Planning Obligations (north) (November 2009) SPD's, Mid Bedfordshire Recreation Open Space Strategy (2004), Design in Central Bedfordshire: A Guide to

Development (2010) and the Masterplan for Land at Steppingley Road and Froghall Road, Flitwick which was approved as technical guidance for Development Management purposes (October 2012).

### **Site Location:**

The application site comprises 17.3 hectares of land located on the north-west edge of Flitwick. The site, which is largely rectangular in form, sits between Steppingley Road to the west and Froghall Road to the north, with the Midland Mainline Railway forming the eastern boundary to the site. Open countryside exists to the north and west of the site, with the Rufus Centre, partially separating the site from Steppingley Road.

Directly to the south of the site are the existing Flitwick Leisure centre, associated sports fields and an allotment, beyond which are residential dwellings. Land to the east of the development, beyond the railway, also consists of an existing residential development. The nearby surrounding housing to the east and south is mainly modern two storey with a mix of sizes. Froghall Farm, which includes a Grade II listed 17<sup>th</sup> Century timber framed farmhouse sits to the north on the opposite side of Froghall Road.

At present the site is predominantly open field in connection with former crop production. The north-east corner of the site contains a group of trees and a pond which falls within the designed Green Belt. There is also a group of trees in the south-east corner. The south western corner accommodates two existing cottages and the remnants of farm and barn structures from previous agricultural activities which are accessed off Steppingley Road. There are existing hedgerows and trees on the northern boundary which partially screen site from the Froghall Road frontage.

The site gently falls relatively uniformly from west down to east There is a public footpath which crosses the site in a north-west/south-east direction which passes through the housing to the south connecting to Windmill Road.

### **The Application:**

The application seeks outline permission for the development of up to 400 new homes, and 4,400 sq metres of Class B1 (Business) and Class B2 (General Industry) employment floor space (on 1.1ha of the site) which would be located at the eastern edge of the site running parallel to the railway. All matters of detail are reserved for later approval except means of access.

The principles of the development are shown on the accompanying Master Plan which comprises the following;

- Movement Plan
- Landscape, Ecology and Open Space Plan
- Layout, Scale and Form Plan

The application is also accompanied by a Design and Access Statement and a range of reports prepared by specialist consultants including an Arboricultural

Assessment, Archaeological Assessment, Detailed Bat Surveys, Employment Land Statement, Flood Risk Assessment, Great Crested Newt Report, Landscape and Visual Assessment, Noise Assessment, Public Utilities Report, Road Safety Audits and a Transport Assessment.

The proposed residential density would be 35 dwellings per hectare net. A range of housing types are proposed between 1 and 5 bedrooms with 30% affordable in a range of housing within small clusters across the site. The building form is envisaged to be 'traditional' and predominantly two-storey, with the creation of different character areas within the site. Single storey dwellings would be arranged around a 'farmyard' courtyard located to the rear of the two existing cottages which front Steppingley Road and are proposed to be retained.

Access to the site would be via a 'T' junction off Steppingley Road and two mini roundabouts off Froghall Road. The access details for approval also include provision of a new footpath along Froghall Road and under the railway, connecting to the existing footpath which terminates outside Doolittle Yard. A traffic light system would be introduced to the existing railway bridge and the road modified to a single width carriageway to allow the incorporation of a barrier protected footpath. A height sensor and warning device would be provided at the entrance to the employment land to warn high vehicles of the railway bridge.

All three new junctions are proposed to be linked internally within the site by a hierarchical road network, with the Steppingley Road access and western mini-roundabout on Froghall Road used as a new bus route. The existing public footpath which crosses the site, in a SE-NW direction would be maintained as part of the scheme within an open space corridor.

The application proposes a network of public open spaces across the site. This includes a combined Neighbourhood Equipped Play Area (NEAP) and Super Local Area of Play (Super-LAP) close the Rufus Centre. A further combined Local Equipped Play Area of Play (LEAP) and Super-LAP would be located within the open space corridor towards the west of the site. A series of other linked green areas are also dispersed across the site. A Sustainable Urban Drainage System (SUDS) would provide surface water attenuation to a 1:100 year event.

Following a period of consultation and public exhibition, two main changes were made to the master plan;

- The removal of the Multi Use Games Area (MUGA) from the application site, to the leisure centre to the south.
- The replacement of the existing hedgerow, which is required to be removed along the eastern half of the frontage with Froghall Road.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework (March 2012)**

1. Building a strong, competitive economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
8. Promoting healthy communities
9. Protecting Green Belt land

10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

### **Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009)**

- CS1 – Development Strategy
- CS2 – Developer Contributions
- CS3 – Healthy and Sustainable Communities
- CS4 – Linking Communities – Accessibility and Transport
- CS5 – Providing Affordable Homes
- CS7 – Affordable Homes
- CS9 – Providing Jobs
- CS10 – Location of Employment Sites
- CS13 – Climate Change
- CS14 – High Quality Development
- CS15 – Heritage
- CS17 – Green Infrastructure
- CS18 – Biodiversity and Geological Conservation
- DM2 – Sustainable Construction of New Buildings
- DM3 – High Quality Development
- DM9 – Providing a range of transport
- DM10 – Housing Mix
- DM13 – Heritage in Development
- DM14 – Landscape and Woodland
- DM15 – Biodiversity
- DM16 – Green Infrastructure
- DM17 – Accessible Greenspaces

### **Central Bedfordshire (North Area) Site Allocations DPD (April 2011)**

MA2: Land at Steppingley Road and Froghall Road, Flitwick

### **Development Strategy for Central Bedfordshire Pre-Submission Version Policies (January 2013)**

- 1 - Presumption in Favour of Sustainable Development
- 3 - Green Belt
- 6 - Employment Land
- 7 - Employment Sites and Uses
- 19 - Planning Obligations and the Community Infrastructure Levy
- 20 - Next Generation Broadband
- 21 - Provision for Social and Community Infrastructure
- 22 - Leisure and open space provision
- 23- Public Rights of Way
- 24 - Accessibility and Connectivity
- 25 - Capacity of the Network
- 26 - Travel Plans
- 27- Car Parking
- 28 - Transport Assessments and Travel Plans
- 29 - Housing Provision
- 30 - Housing Mix
- 32 – Lifetime Homes
- 34 – Affordable Housing

- 36 - Development in the Green Belt
- 43 - High Quality Development
- 44 - Protection from Environmental Pollution
- 45 – The Historic Environment
- 47 – Resource Efficiency
- 48 - Adaptation
- 49 - Mitigating Flood Risk
- 56 - Green Infrastructure
- 57 - Biodiversity and Geodiversity
- 59 - Woodlands, Trees and Hedgerows

*Having regard to the National Planning Policy Framework, significant weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy is due to be submitted to the Secretary of State in 2013.*

### **Supplementary Planning Guidance**

- Affordable Housing (July 2004)
- Mid Bedfordshire Recreation Open Space Strategy (2004)
- Planning Obligations (North) (November 2009)
- Design in Central Bedfordshire - A Guide for Development (2010)

### **Other Guidance**

- Masterplan for land at Steppingley Road and Froghall Road, Flitwick (approved by Executive 4<sup>th</sup> December 2012)
- Amphill & Flitwick Local Area Transport Plan (April 2012)

### **Planning History**

- CB/12/03776/SCN      A Screening Opinion was issued to confirm that an Environmental Impact Assessment would not be required for the development which is the subject of this application.

### **Representations: (Town Council, Parish Council & Neighbours)**

Flitwick Town Council:      Support the application.

Amphill Town Council:      Support the application.

Steppingley Parish Council:      Raise the following concerns:

1. Steppingley and its surrounding area is a valuable countryside resource which is much enjoyed not only by its residents but also by many from the nearby urban developments of Flitwick and Amphill. It is an area which enjoys extensive wildlife and relatively dark night skies. Steppingley is one of the few areas where the night sky is sufficiently dark to be able to observe, at least, part of the Milky Way. It is important from a planning

perspective that such resources should not suffer further continuing erosion by urbanisation as has occurred in recent years, for example by unnecessary and non-environmentally friendly street lighting. We are keen to try to maintain Steppingley as a distinctly separate country resource. The development should be built to the highest environmental standards having regard to the wildlife. The presence of Great Crested Newts on the site should be investigated further and street lighting in the new estate should be designed so as to be switched off late at night.

2. Consideration should be given to minimal construction in highways. The tendency (as seen in the new roundabout at Steppingley Crossroads and elsewhere locally) is to construct highways vastly in excess of the demands of traffic which tends simply to lead to increased traffic passing at unsafe speed.
3. Needs to be addition to necessary local infrastructure and services – schools and medical facilities, both of which are quite restricted at present.
4. It is to be hoped that the plans will include the opportunity for business to service the housing with buses so as to assist to reduce dependency upon cars.
5. Ask that CBC undertake research as to the provision of a cycle way from the new estate to Flitwick Station and allow also for the possibility of a similarly cycle way in the event that a new station should be built at Ampthill.
6. The proposed railway bridge be rendered single track is not realistic for the probable traffic loading. It is essential that the railway bridge be widened to accommodate two way traffic and to make allowance also for the safe passage of pedestrians.
7. The new estate should, of course, be fully DDA compliant.
8. Rainwater harvesting should be required to be installed in all new houses by conditioning in planning permission.

Neighbours:

One letter has been received from 35a Ampthill Road, Flitwick which asks CBC to ensure that extra water is not discharged into the drainage stream which runs from Steppingley Road and under Ampthill Road. This is due to problems caused by the piping of the stream between No's 28 and 30 Ampthill Road which on occasions is blocked by rubbish.

## Consultations/Publicity responses

Archaeology	<p>The site contains remains of prehistoric, Roman and medieval occupation and landscape features, as well as a post-medieval onion drying shed. The remains are of archaeological, historical and heritage interest and the onion drying shed is a well preserved and largely unaltered example of Bedfordshire's tradition of market gardening. This does not present an over-riding constraint on the development, as long conditions are attached to the granting of planning permission where;</p> <ul style="list-style-type: none"><li>- No development shall take place until a written scheme of archaeological investigation has been submitted and approved and;</li><li>- No demolition of any buildings should occur until a written scheme of building recording for the onion drying shed has been submitted and approved.</li></ul>
Environment Agency	<p>Planning permission could be granted provided conditions are included which require suitable surface water drainage, and the identification and remediation of issues of groundwater and contaminated land. Also recommend conditions which outline that no development shall commence until necessary environmental management processes such as sewage systems have been submitted and approved by the council, as well as necessary measures for pollution prevention.</p>
Network Rail	<p>No objection in principle to the development, but outline a series of requirements which must be met, especially with the close proximity to the electrified railway. These include ensuring surface and foul water drainage discharging away from the railway, 'fail safe' measures to prevent construction works interfering with the operation of the railway, provision of trespass-proof fencing along the boundary, sufficient buffering between development and rail land and appropriate lighting to prevent disruption, and the requirement of soundproofing to properties. Additional trips under the railway bridge may increase potential for 'bridge strikes' so recommend consultation with Asset Protection Project Manager to ascertain whether bridge protection barriers may be needed. Recommend conditions relating to drainage, boundary fencing, provision of a method statement, soundproofing, lighting and landscaping for reasons of safety, operational needs and integrity of the railway. Other matters can be dealt with by an informative.</p>
Affordable Housing	<p>Expects to see 35% affordable housing or 140 affordable residential units with a tenure split of 63% Social/Affordable Rent or 88 units and 37% Intermediate tenures such as Shared Ownership or 52 units as per our</p>

SHMA. Would like to see a range of units dispersed throughout the site (pepper potting) and integrated with the market housing to promote community cohesion and tenure blindness. Also expects all units to meet the Code for Sustainable Homes level 3 and meet all HCA design and quality standards. If these comments are taken on board then would support the application.

Public Protection  
(Contamination)

Recommend a condition requiring a contamination survey prior to occupation of any buildings.

Public Protection (Noise)

No objections in principle. The noise consultants have not taken account of noise generated by road traffic and as there is no definitive site layout plan recommend a condition to ensure that noise and vibration from both road and rail is controlled to protect any residential property. Also recommend conditions to restrict hours of use for commercial units, restriction on noise levels from use of plant machinery or equipment and approval of a Construction Environmental Management Plan.

National Grid

Have identified low and medium pressure gas pipes and associated equipment and electricity transmission overhead lines in the vicinity. Provide advice notes outlining responsibilities and obligations to ensure equipment is protected.

Sport England

There is no existing playing field affected so Sport England have considered this as a non-statutory consultation for a major housing development. There is already an identified deficiency of outdoor sports facilities in the Flitwick area, especially in relation to football pitches and the proposal will add to this. Unless the Council considers that on-site outdoor sports provision can be justified, making an appropriate contribution towards off-site provision/enhancements in accordance with the SPD and emerging Development Strategy would be acceptable as it is acknowledged that the size of the development site and scale proposed would restrict potential to provide a facility of sufficient scale to meet the needs of the community. However as the scope and nature of planning obligations has not yet been agreed and there is no clear commitment at this stage from the applicant to provide a appropriate financial contribution towards outdoor sport then an objection is made. The objection will be withdrawn if it is confirmed that a contribution will be made. The secured contribution should be used towards the delivery of local outdoor sports projects identified in the emerging Playing Pitch Strategy. The identified £50,000 contribution towards a MUGA on the nearby Flitwick Leisure Centre site is only expected to be sufficient for informal play and would not



therefore meet the need for formal sports provision.  
A contribution towards a replacement leisure centre would also be considered appropriate to meet the needs generated by the development for indoor sports facilities and again an objection is made until there is certainty of this being provided.

Marston Vale Trust	The application may be relevant for a contribution to the delivery of the Forest of Marston Vale as set out in the Mid Bedfordshire Planning Obligations Strategy 2008.
Minerals and Waste	Following a recent review the site is no longer within a Mineral Safeguarding Area therefore no objection.
Highways Agency	The application will not adversely affect the M1 Motorway at this location and therefore offer no objection.
Bedfordshire Area Ramblers	Have no objection providing Footpath No.15, which crosses the site, will not be diverted or closed as a result of the development. Would object if the footpath is incorporated as part of a road within the proposal.
Beds and River Ivel Internal Drainage Board	No objection to the proposed storm water drainage scheme in principle. Need to keep the attenuation pond sufficiently wet and/or dry where appropriate to prevent the encroachment of protected species such as newts which would prevent it being maintained for the purpose for which it is designed. In addition the Board cannot fully assess the efficacy and maintainability of the scheme until more detailed information is provided which recommend is secured by conditions. The applicant should note it is the Boards standard recommendation that the over-ground component of the SUDS be adopted by a statutory body in order to ensure it is properly maintained in perpetuity.
Bat Conservation Trust	Provide general advice on the planning process and how development may affect bats.
Sustainable Transport	The travel plans for residential and commercial development need to be secured as part of the Section 106 Agreement with an obligation to provide monitoring data through CBC's monitoring software. Cycle parking for both the residential and employment sites needs to be secured by condition. A contribution of £85,000 is required to upgrade Footpath 15 to provide a high quality shared use facility or delivered by the developer through a s278 agreement. A contribution of £30,000 needs to be secured to facilitate safe crossing of the A507. A contribution of £400,000 or £1000 per dwelling needs to be provided to serve the site by public transport.

## Countryside Access

The application appears to be in accordance with the masterplan and policy MA2 but have some concerns over the details and issues, most of which can be picked up in the reserved matters applications and Section 106 Agreement:

- Footpath 15 will be a key link into Flitwick and Ampthill and should be upgraded with dog walkers and cyclists in mind. The whole length should be surfaced, improvements should be made to the width and in some locations lighting made appropriate.
- Support the footpath improvement under the railway bridge.
- Improvements should also be made to a number of public rights of way on the south-west side of Steppingley Road including surfacing sand surfacing improvements, improved signage and way marking and further dog or litter bins.
- Welcome the informal leisure footpath routes through the site but would suggest informal surfacing to make them useable.
- Concerns over the amount of useable open space for residents so residents may go elsewhere such as to Flitwick Wood which is already under considerable pressure. A Green Infrastructure contribution would enable this.
- Not clear whether proposed trees are suitable for use within areas of public open space.

## Ecology

Satisfied that the application will be able to provide a net gain for biodiversity through proposed enhancements and mitigation measures. Would be beneficial to review further details once available together with updated survey information.

## Conservation and Design

The application site is located to the south of the Grade II listed 17th century timber framed Froghall Farmhouse. The historic rural setting of this building however is largely experienced within its direct farm surroundings and the open fields to the north. Views of the application site from the listed building are largely screened by vegetation along the northern boundary of the site and along Froghall Road. As such, the outline proposals are not considered to have a detrimental impact on the setting of the Grade II listed building.

Within the site, to the rear of the Valley Farm Cottages, there is a modest onion shed potentially dating from the early 19th century. The structure appears to be in reasonable condition with minimum alteration. Historic onion sheds are increasingly rare in the district and those which survive are mainly in the eastern part of the district.

The onion shed Valley Farm is the most westerly structure of its kind to be discovered and in good condition. A part of the proposals, this historic structure is to be demolished. Therefore endorse the recommendation of the Council's Archaeological Officer for a recording condition prior to its demolition.

#### Trees and Landscape

All the existing vegetation is around the perimeter of the site and consists of hedgerows of various condition, species and density. In general the choice of tree species for most of the site looks acceptable but unimaginative. Recommends submission of full hard and soft landscaping details, boundary treatment details, tree protection details and distances and new service line drains etc to avoid root protection distances of trees to be retained.

#### Economic Development

The Employment Land Statement neglects to consider and compare with the successful operation of the Rufus Centre as a location for small starter units and office space. The Rufus Centre is a very short distance from the proposed employment site and could provide a model for how the new employment space is developed and managed. It is understood that the Rufus Centre operates at near capacity and therefore provides good evidence that a B1-B2 employment development in this location could be successful. It would be useful to get a further view on whether this type of facility could be replicated.

#### Education

400 homes in Flitwick would require contributions towards Early Years, Lower and Upper Education totalling £2,379,408.

#### Bedfordshire Police Architectural Liaison Officer

The Design and Access Statement proposes movement networks which are diametrically opposed to the Bedfordshire Community Safety Supplementary Planning Guidance in respect of balancing the correlation between accessibility and crime. Based on the most recent evaluation of the relationship between road layouts and the distribution of crime and disorder in the county, the number of offences and incidents of anti-social behaviour are likely to be in excess of 200% greater on the proposed scheme. Given the substantial reduction in funding that Bedfordshire Police are facing it is highly unlikely that this development will receive anywhere near the level of police resources commensurate with the high level of demand which is being 'designed in'. The development will therefore be needlessly criminogenic and the Design and Access Statement is likely to mislead the public into believing that community safety has accurately influenced the intended scheme when the reality is that in indicated layout is detrimental in this

respect.

## Highways

You will be aware from our recent discussions and continued involvement in the project that the highway authority is supportive of the proposals. The submission included a robust Transport Assessment and the production of a series of plans demonstrating acceptable access arrangements along with measures to influence speed along Froghall Road and provision of appropriate linkages for pedestrian and cycle movement.

I can also confirm that the list of conditions initially drafted by the previous case officer has been agreed from a highway perspective and I do not require any addition to those conditions contained in your latest version 4 (31.05.13). However I would recommend inclusion of the relevant advisory notes.

## Anglian Water

Confirm that there is available capacity in the catchment of Flitwick for waste water and sewerage. Should seek the views of the Environment Agency on the surface water strategy/flood risk assessment. Recommend informatives regarding the need for the layout to take account of assets close to or crossing the site and discharge of trade effluents from the employment/commercial uses.

## Determining Issues

The main considerations of the application are;

1. Principle of Development
2. Layout, Density and Built Form
3. Impact on Amenities of Existing and Future Residents
4. Traffic, Access and Sustainable Transport
5. Flood Risk and Drainage
6. Open Space, Landscape and Biodiversity
7. Archaeology and Cultural Heritage
8. Planning Obligations
9. Other Issues

## Considerations

### 1. Principle of Development

The principle of development of the site for mixed uses has already been established by policy MA2 of the Central Bedfordshire (North) Site Allocations DPD and the allocation has been carried forward into the pre-submission draft policies for the emerging Development Strategy. Policy MA2 seeks to provide:

“among other things a minimum of 450 dwellings, at least 1.1 ha of B1 and B2

employment, which may also include bulky goods retailing development that do not detract from town centre uses and a dedicated open space area.”

As the current application proposes *up to* 400 dwellings and includes a small area of land within the Green Belt it has been advertised as a departure from the Development Plan. The lower number of dwellings proposed to those sought by Policy MA2 is considered to be acceptable in view of there no longer being minimum density requirements set by the Government and a general acceptance of lower density developments. A density of approximately 35 dwellings per hectare is considered appropriate for this edge of town location.

The small area of land within the Green Belt in the north-east corner of the site will be retained as public open space, including an existing pond and group of trees. The openness of the Green Belt would not therefore be harmed.

While Policy MA2 requires *at least* 1.1 ha of B1 and B2 employment, the applicants do not propose any more than 1.1 ha. This has been justified through the submission of an Employment Land Statement which confirms that a higher amount of employment land may be difficult to market given competing demands and the location and nature of the site.

## **2. Layout, Density and Built Form**

Policy MA2 required production of a masterplan to guide development. This was approved for Development Management purposes by Executive on the 4<sup>th</sup> December 2012 following extensive public consultation. The masterplan comprises three main elements:

- Movement Plan
- Landscape, Ecology and Open Space Plan
- Layout, Scale and Form Plan

The submitted Design and Access Statement expands on the approved masterplan principles and provides illustrative detail for a number of character areas. A network of routes across the site, including a number of shared surfaces, will provide safe and convenient connectivity. As required by Policy MA2, the existing public footpath which crosses the site will be incorporated into the development to form part of the open space provision. This footpath will also provide links towards the town centre.

The average net density of 35 dph is considered to be appropriate for this site on the edge of the town and would be similar to densities in nearby residential areas. The development would be dispersed with green spaces including play areas, formal squares and more informal areas. The applicants have stated that the housing mix will incorporate 1, 2, 3, 4 and 5 bedroom properties to reflect local need and provide a vibrant and active community.

The majority of the built form would be 2 storey dwellings with 2.5 storey (rooms in roof) where variations in building height would help create a more interesting street scene. These heights are appropriate for an edge of town site and would be in keeping with surrounding properties. The design of the units is envisaged to be a ‘traditional’ response overall but details will be considered further at the reserved matters stage. A condition is recommended to ensure that the reserved

matters adhere to the masterplan and character area principles.

### **3. Impact on Amenities of Existing and Future Residents**

Most existing properties are located beyond the railway line, the adjoining allotments and sports centre sites or on the other side of Froghall Road and so the distances involved mean little impact on amenity for existing residents. The two existing properties on the Steppingley Road frontage would be retained as part of the development and therefore have been incorporated as part of the masterplan.

The Public Protection Officer has recommended conditions to ensure that any noise (and potential vibration) are mitigated from the railway line, Froghall Road and the proposed commercial land.

Conditions on any consent could ensure that any disruption from construction work and traffic is minimised by agreement of details of wheel cleansing facilities and construction traffic routing and parking.

### **4. Traffic, Access and Sustainable Transport**

Considerable work had been undertaken a pre planning application stage to discuss how Froghall Road could be altered and in particular to design an acceptable solution for both vehicular traffic and pedestrians to safely pass under the Froghall Road railway line bridge. Discussions were held with Ward Members, Flitwick Town Council and Stakeholders including CBC Officers.

In addition during the course of the planning application further works have been undertaken by the applicant to provide additional traffic calming measures to ensure that road speeds are kept below 30 mph along Froghall Road. In addition a signalised solution has been developed under the bridge with a non queuing mechanism to ensure that traffic does not back up unacceptably towards Doolittle Mill.

The benefit of providing a traffic light signalised junction under the bridge has enabled a dedicated footpath to be created from the site under the bridge (separated from the carriageway by railings) along Froghall Road to the existing Doolittle Mill Footpath. This will provide a safe route for pedestrians including school children towards Ampthill and Redborne Upper School.

#### Other Highway Issues

The development is contributing through a financial contribution towards a scheme to help both traffic capacity at the One-o-One roundabout and a safe crossing point between the Doolittle Mill Roundabout and the One-o-One roundabout (A507 crossing).

A contribution shall be paid through the S106 to upgrade Footpath 15 adjacent to the site. Within the site there is located within a landscape corridor which will provide a green finger through the site.

#### Sustainable Transport

The S106 Agreement has secured in excess of £701,800 towards Sustainable

Transport measures. This include contributions towards the cycle network, upgrade of Footpath 15, the A507 Crossing and Public Transport.

In securing this contribution it is therefore considered that the site will be adequately served by non-car forms of transport. In light of the close proximity of Flitwick Train Station it is considered appropriate to secure financial contributions towards the cycle network rather than car parking at the station.

## **5. Flood Risk and Drainage**

The existing greenfield site drains to the watercourse which is located along the site's south-eastern boundary. The allocated part of the site is not within the floodplain and therefore falls within Flood Risk Zone 1 which is considered to be low risk.

The proposed development will incorporate a number of drainage features to ensure that the attenuation facilities are designed in accordance with the requirements of the NPPF and to accommodate a 1 in 100 year flood event plus 30% allowance for climate change.

The EA have no objections subject to relevant conditions to surface water drainage, contamination, foundation design and foul and surface water and it is considered that proposed drainage strategy is adequate for this purpose.

## **6. Open Space, Landscape and Biodiversity**

The applicant's landscape strategy identifies a network of open spaces through the development in accordance with the requirements identified by Leisure Services. The development will deliver 3.16 Hectares of public open space including 2 play areas on site (One NEAP and Super LAP and another LEAP and Super LAP), a financial contribution towards a MUGA to be located on Central Bedfordshire Council land adjacent to the site and financial contributions towards Indoor Sports and Leisure Centres and Outdoor Sports in accordance with the adopted Planning Obligations Strategy.

The areas identified are sufficient for a development of this size taking into consideration the additional financial contributions however it should be noted that they shall be accessible to existing Flitwick residents.

Details in relation to landscaping have been submitted however a relevant landscaping condition would be included to ensure that a cohesive and comprehensive landscaping scheme is produced for the whole development.

The applicant has produced an Ecological Assessment which details species found during recent survey work and proposes a number of enhancements including retention of existing landscape buffers, creation of surface water attenuation area, provision of a log pile in the ecological enhancement area, ecological management, bird boxes and roosting opportunities for bats. The Council's Ecologist is satisfied with these enhancements which could be secured by condition. The existing habitats which are of ecological value including the watercourses, hedgerows and trees will be retained as part of the open space as detailed above.

## 7. **Archaeology and Cultural Heritage**

The applicants have conducted a geophysical survey and trial trench excavations which have identified a number of archaeological features related to Late Iron Age occupation and the post –medieval agricultural landscape. These represent heritage assets with archaeological interest of regional significance. A condition is therefore recommended to secure the implementation of the written scheme of archaeological investigation for these areas prior to the commencement of development.

The development proposes the demolition of the Onion Shed on the site. Onion sheds by nature are not easy to convert to alternative uses.

The proposed development will have a negative and irreversible impact upon the heritage assets with archaeological and historic interest. However, this does not present an over-riding constraint on the development subject to relevant record and understand the heritage assets.

## 8. **Planning Obligations**

Impact on existing infrastructure and services is another key issue raised during the consultation of this application. Contributions can be secured to ensure that the additional impacts arising from the development can be mitigated in accordance with the statutory tests for Planning Obligations. Contributions cannot be used to remedy existing deficiencies of infrastructure and services in the area.

The applicants have agreed to provide the full financial contributions required under the Planning Obligations SPD (North). The total package to be secured via a Section 106 Agreement would include a contribution of around £5.3 million, provision of on site leisure, recreational and green infrastructure facilities, off site highway works (as detailed above) and the full 35% affordable housing provision (140 dwellings). The applicants propose a Tariff style payment arrangement on a per dwelling basis. Providing the statutory tests for Planning Obligations are met, this would allow the Council greater flexibility in deciding exactly how the contribution will be spent within the locality.

The breakdown of financial contributions is as follows:

Education	£2,335,655.00
Sustainable Transport	£701,800.00
Health Facilities	£480,000.00
Leisure, Recreational Open Space & Green Infrastructure	£1,314,200.00
Community Facilities & Infrastructure	£2,800.00
Community Cohesion	£7,600.00
Waste Management	£18,400.00
Emergency Services	£82,800.00
Public Realm and Community Safety	£88,400.00
<b>Total</b>	<b>£5,031,665.00</b>

The Leisure, Recreational Open Space and Green Infrastructure contribution will include contributions towards indoor and outdoor sports facilities as requested



by Sport England. A contribution to provide an off site MUGA is also included as part of the play provision for the site. It is anticipated that this will be provided on CBC land adjacent to the site.

The proposed affordable housing 'package' consists of 70% Shared Equity and 30% Affordable Rent tenure types. These would comprise a range of 1, 2, 3 and 4+ bedroom dwellings (including flats) pepper-potted across the site.

## 9. Other Issues

In terms of other issues raised through the consultation process:

### Submitted Documents

The documents submitted with the application are considered to be sufficient in order to adequately assess the proposals and its impacts.

### Planning Process and Consultation

The Council issued over 232 letters to individual households in streets nearest to the application site which far exceeds the statutory consultation requirement. In addition to this site notices and a press notice were posted. The statutory time period for response of 21 days was provided but residents actually had longer than this due to the different timings of the site notices, press notice and letters. Adequate opportunity for comment was therefore provided.

## Human Rights Issues

The proposal would raise no known Human Rights Issues.

## Equality Act 2010

The proposal would raise no known issues under the Equality Act.

## Recommendation

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

## RECOMMENDED CONDITIONS

- 1 **Approval of the details of the appearance, landscaping, layout and scale of the development within each area approved as identified in condition 4, (herein called 'the reserved matters') shall be obtained in writing from the local planning authority before development is commenced within that area. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Article 4 (1) of the Town and Country Planning (Development Management Procedure) Order 2010.**

- 2 Application for approval of the reserved matters for each area, as identified in condition 4, shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. The development shall begin no later than two years from the approval of the final reserved matters.

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

- 3 Each reserved matters application shall demonstrate how it has taken account of the principles set out within the submitted Design and Access Statement (Woods Hardwick dated 20<sup>th</sup> February 2013):

- a) Master Plan 1 – Movement Plan
- b) Master Plan 2 – Landscape, Open Space & Play Areas Plan
- c) Master Plan 3 – Built Form, Massing & Character Areas
- d) Section 5.6 – Character Areas

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policies CS14 and DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 4 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and approved in writing by the Local Planning Authority. The areas plan shall show a maximum of 6 residential areas and shall define the location and extent of the employment area and each residential area and the number of dwellings in each area; and also define:

- a) the timing of the provision of the movement network shown on Master Plan 1 contained within the submitted Design and Access Statement;
- b) the timing of the provision of the vehicular access points onto Steppingley Road and Froghall Road as shown in principle on submitted Drawing No's: 46381000/P/3250/006 Rev A and 46381000/P/3250/005 Rev A prepared by URS Infrastructure and Environment UK Ltd;
- c) the timing of the provision of the open space, play areas and surface water attenuation areas shown on Master Plan 2 contained within the submitted Design and Access Statement.

The development and timing of provision of the movement network, vehicular access point(s) open space and play areas and surface water attenuation areas for each area shall be carried out in accordance with the approved areas plan.

Reason: In order to ensure the timely provision of the development.

- 5 No more than 400 dwellings and no more than 4400 square metres gross of employment floorspace within Class B1 (Business) or Class B2 (General Industrial) of the Town and Country (Use Classes) Order 1987 (as amended) shall be constructed on the site pursuant to this planning permission.

Reason: For the avoidance of doubt.

- 6 The 'Froghall Bridge Signalised Shuttle Working' and the 'Froghall Road Tie-in to existing footpath' works as shown on submitted Drawing No's: 46381000/P/3250/001 Rev A and 46381000/P/3250/007 Rev A prepared by URS Infrastructure and Environment UK Ltd; shall be constructed and available for public use prior to the opening of any new vehicular or pedestrian access points onto Froghall Road to serve the development.

Reason: To provide safe and convenient pedestrian access under the railway bridge and onwards towards local facilities in Ampthill in accordance with policy CS4 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 24 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 7 The traffic calming works on Froghall Road as shown on submitted Drawing No's 4638000/P/3250/005 Rev A and 46381000/P/3250/006 Rev A shall be constructed and open to vehicular traffic prior to the opening of any new vehicular access point onto Froghall Road to serve the development.

Reason: To ensure that speeds are adequately reduced on Froghall Road in the interests of highway safety and in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 8 **No development shall commence until an overarching Landscape and Open Space Strategy has been submitted to and approved in writing by the local planning authority. The Landscape and Open Space Strategy shall set out the in principle requirements for treatment of the areas of landscaping and open space, shall be in accordance with the principles set out within Master Plan 2 – Landscape, Open Space & Play Areas Plan contained within the submitted Design and Access Statement and the areas plan approved by condition 4 and shall include:**

- a) a programme for implementation;
- b) long-term design objectives for the laying out of areas of green infrastructure and open space within the residential development areas including any replacement planting;
- c) short and long-term management responsibilities;
- d) maintenance schedules for all hard and soft landscape areas and open spaces (other than privately owned domestic gardens), and any associated features.

**The development shall be carried out in accordance with the approved overarching Landscape and Open Space Strategy.**

**Reason: To ensure a satisfactory appearance of the development in accordance with policies DM3 and DM16 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies**

(2009) and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 9 No development approved by this planning permission shall take place until such time as a detailed surface water drainage scheme, including details of timing of provision, in accordance with the submitted Flood Risk Assessment dated February 2013 prepared by Woods Hardwick has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the approved timing arrangements as per condition 4.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to others downstream of the site in accordance with Policy DM2 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 49 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 10 No development in any area of the development approved as per condition 4 of this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

(1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).**

- 11 No occupation of any area of the development approved as per condition 4 of this planning permission shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation for that defined area shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 12 If, during development within an area of development approved as per condition 4, contamination not previously identified is found to be present at the site then no further development within that area (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy for that defined area to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009),

policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 13 Infiltration systems for surface water disposal shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 44 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012). The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

- 14 Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 44 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012). Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

- 15 **No development shall take place in an area of the development approved as per condition 4 above until such time as a scheme to dispose of foul and surface water for each area and in addition in relation to the employment area a scheme for the installation of oil and petrol separators has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.**

**Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several**

on-site and nearby surface water features) from potential pollutants associated with current and previous land uses of the site (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 16 No development approved by this permission shall be commenced until a scheme for connection to the existing sewerage system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the approved scheme for connection to the existing sewage system has been completed.

Reason: To protect and prevent the pollution of controlled waters (particularly the underlying Principal and Secondary aquifers, EU Water Framework Directive drinking water protected area and several on-site and nearby surface water features) from potential pollutants associated with current and previous land uses (including agricultural and an adjacent railway) in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013) and Central Government advice contained within the National Planning Policy Framework (2012).

- 17 No development shall take place in an area of the development approved as per condition 4 above until there has been submitted to and approved in writing by the Local Planning Authority a detailed waste audit scheme for that area. The waste audit scheme shall include details of refuse storage and recycling facilities. The development of dwellings and/or commercial units in each area shall be carried out in accordance with the approved details shall not thereafter be used for any other purpose.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 18 The details required by condition 1 of this permission in relation to each area approved by condition 4 shall include details of the finished floor and site levels including full details of finished floor levels for each building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing ground levels. The development shall thereafter be carried out strictly in accordance with the approved level details.

Reason: For the avoidance of doubt and to ensure a satisfactory form of

development.

- 19 **Means of access to the site shall be from Steppingley Road and Froghall Road as shown in principle on submitted Drawing No's: 46381000/P/3250/006 Rev A and 46381000/P/3250/005 Rev A. No development shall commence until construction details of the junctions have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 20 **No development shall take place in an area of the development approved as per condition 4 of this permission until details of the plans and sections of the proposed estate roads in that area, including gradients and method of surface water disposal have been submitted to and approved in writing by the Local Planning Authority and no building within that area shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

**Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 21 **No occupation of any of the employment land shall take place until a vehicle height sensor, railway bridge warning device and any necessary signage have been installed on the employment land access road in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

**Reason: In the interests of highway safety in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 22 **Any Class B1 commercial units on the employment land hereby approved shall not be used except between the hours 8am till 7pm Monday to Saturdays and at no time on Sundays, Bank or Public Holidays and any Class B2 commercial units on the employment land hereby approved shall not be used except between the hours 8am till 6pm Monday to Saturdays and at no time on Sundays, Bank or Public Holidays.**

**Reason: To protect the amenity of the neighbouring residential properties from noise associated with their future use in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development**



Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 23 No development in any area of the development approved as per condition 4 of this permission shall commence until a scheme of attenuation measures for noise and vibration from the adjacent railway line as identified in the Noise Assessment Report of URS Infrastructure & Environment UK Limited .Reference 47065407 R01 Revision 3 dated 11th February 2013 has been submitted to and approved in writing by the Local Planning Authority so far as may be necessary to ensure that internal noise levels within dwellings from the adjacent railway line shall not exceed 35 dB LAeq, 07:00 – 23:00 in any habitable room or 30 dB LAeq 23:00 - 07:00 and 45 dB LAfmax 23.00 - 07:00 inside any bedroom, and that external noise levels in outdoor amenity areas of dwellings from the railway line shall not exceed 55 dB LAeq, 07:00 – 23:00. The submitted scheme shall include a verification plan to demonstrate the effectiveness of the scheme. The works which form part of the scheme approved by the Local Authority for each dwelling shall be completed before the dwelling is occupied. The effectiveness of the scheme shall be demonstrated to the Local Planning Authority in accordance with the approved verification plan.

Reason: To protect the amenity of the future occupiers of the residential properties from noise and vibration associated with the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version).

- 24 Noise resulting from the use of the plant machinery or equipment from any commercial unit on the employment land hereby permitted shall not exceed a level of 5dBA below the existing background level (or 10 dBA below if there is a tonal quality) when measured according to BS4142:1997, at one point one metre external to the nearest noise sensitive building.

Reason: To protect the amenity of the neighbouring residential properties from noise associated with their future use in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 25 Deliveries to and from the B1 and B2 uses only hereby approved shall only be made between 08:00 hours and 18:00 hours Monday to Saturday, and at no time on Sunday or Bank Holidays without the prior written agreement of the Local Planning Authority.

Reason: In order to protect the interests and amenity of the immediate surrounding residential properties in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 26 **No development in any area of the development approved as per condition 4 of this permission shall commence until a Construction**

**Environmental Management Plan for that area has been submitted to and approved by the Local Planning Authority which shall detail methods that all developers, contractors and subcontractors will employ and shall include:**

- **Details of traffic routes and points of access and egress to be used for the construction process**
- **Details of the areas for contractors parking and loading and unloading of materials within the site**
- **Measures of controlling dust created by the development**
- **Measures to be used to reduce the impact of noise arising from the noise generating activities on site in accordance with best practice set out in BS:5228:1997 'Noise and vibration control on construction and open sites**
- **The siting and appearance of the works compounds**
- **Wheel cleaning facilities for construction traffic**
- **The hours of work**
- **A scheme to treat and remove suspended solids from surface water run off during construction works**

**The development hereby approved shall only be undertaken in accordance with the agreed plan for each area.**

**Reason: To safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and prevent the deposit of materials on the highway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 27 **No development shall take place until archaeological investigations have been carried out in accordance with the Brief issued by the Local Planning Authority dated 3<sup>rd</sup> June 2013 or another scheme subsequently submitted to and approved in writing by the Local Planning Authority if the archaeological investigations have not been completed to the satisfaction of the Local Planning Authority by the 3<sup>rd</sup> January 2014 . The said development shall only be implemented in full accordance with the approved archaeological scheme.**

**Reason: To record and advance understanding of the archaeological resource which will be unavoidably destroyed as a consequence of the development in accordance with policy CS15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version January 2013) and paragraph 141 of the National Planning Policy Framework.**

- 28 **No demolition of any buildings on the site shall take place until a written scheme of building recording for the onion drying shed (Building 7 in the Demolition Proposals Statement (Woods Hardwick 20<sup>th</sup> February 2013)) has been carried out in accordance with the Brief issued by the Local Planning Authority dated 3<sup>rd</sup> June 2013 or another**

**scheme subsequently submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved building recording scheme.**

**Reason: To record and advance understanding of the archaeological and historic resource which will be unavoidably destroyed as a consequence of the development in accordance with policy CS15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009), policy 45 of the Development Strategy for Central Bedfordshire (Pre-submission version January 2013) and paragraph 141 of the National Planning Policy Framework.**

- 29 The landscaping scheme(s) required by condition 1 of this permission shall show the numbers, types and sizes of trees, grass and shrubs to be planted and their location in relation to proposed buildings, underground services and/or engineering works and shall include details of any hard surfaces and earth mounding. The approved scheme for each area approved by condition 4 of this permission shall be implemented by the end of the full planting season immediately following the completion of that identified area (a full planting season means the period from October to March). The trees, shrubs and grass shall be subsequently 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 appearance of the development in accordance with Policies DM3 and DM16 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 30 **Prior to commencement of any development on site an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement and plan.**

**Reason: To safeguard existing trees on site in accordance with Policy DM14 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 59 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 31 The development shall be carried out in accordance with all ecological mitigation proposals set out in the submitted Ecolocation reports entitled 'Extended Phase One, Initial Bat Assessment & Detailed Bat Surveys' (12<sup>th</sup> February 2013 – Revision B) and 'Great Crested Newt Report' (12<sup>th</sup> February 2013 – Revision B) and the results of any further/updated survey work shall be submitted to the Local Planning Authority.

Reason: To protect and enhance features of recognised nature conservation

importance in accordance with Policy DM15 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and Policy 57 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 32 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for parking, and garaging for the residential units in that area and shall take account of the 'Residential Parking Typologies' set out within Section 5.12 of the submitted Design and Access Statement. In relation to the employment area shall include a scheme for parking manoeuvring loading and unloading of vehicles in respect of each building. The parts of each approved scheme pursuant to condition 1 related to each residential unit or building in the employment area shall be made available for use before the residential unit or building is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate turning, parking and unloading space is available in the interest of road safety in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policies 27 and 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 33 **Prior to commencement of development in each area approved by condition 4 of this permission, a scheme showing the proposed boundary treatment of that area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure and shall take account of the boundary treatment guidance set out within Section 5.6 of the submitted Design and Access Statement. The approved scheme shall be implemented before the adjacent residential units are first occupied.**

**Reason: To ensure a satisfactory appearance for the development and to safeguard the amenity of future occupiers in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).**

- 34 No occupation of any of the dwellings or any buildings on the employment land shall take place until a trespass proof fence (which measures a minimum 1.8m high) has been erected adjacent to the railway boundary in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 35 A construction method statement shall be submitted to and approved in writing by the Local Planning Authority for any excavations, pilings or buildings which are located within 10 metres of the railway boundary. The Local Planning Authority shall be notified at least 6 weeks in advance of the commencement of any such works and the works shall be carried out in accordance with the approved statement.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 36 No occupation of any building and/or associated curtilage upon the employment land shall take place until details of any external lighting for that building, including details of type, location, colour and luminance levels, have been submitted to and approved in writing by the Local Planning Authority. All external lighting shall comply with the approved details.

Reason: In the interests of safety for the occupants of the development and the operational needs and integrity of the railway in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 37 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for cycle parking for each dwelling and/or commercial unit. The approved scheme pursuant to condition 1 shall be made available for use before the building is occupied and those areas shall not thereafter be used for any other purpose.

Reason: To ensure that adequate cycle parking is provided in accordance with Policy DM3 of the Central Bedfordshire (North Area) Core Strategy and Development Management Policies (2009) and policy 24 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 38 The development hereby permitted shall not be carried out except in accordance with the Approved Plans drawings numbers: Location Plan 16627/1003 prepared by Woods Hardwick, 46381000/P/3250/001 Rev A, 4638100/P/3250/005 Rev A, 4638100/P/3250/006 Rev A and 46381000/P/3250/007 Rev A.

Reason: For the avoidance of doubt.

### **Notes to Applicant**

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

details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)

2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. (HN xii)
3. You are advised to note the comments of the Environment Agency as set out in the enclosed letter.
4. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of the apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
5. **Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.**
6. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, P.O. Box 1395, Bedford, MK42 5AN.
7. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority. (HN vii)
8. If the developer wishes to connect to the Anglian Water sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will be able to advise of the most suitable point of connection.

9. Any removal of trees, scrub or hedgerow should take place outside the bird breeding season of March to August inclusive. Should any such vegetation have to be removed during, or close to this period it should first be thoroughly assessed by a suitably experienced ecologist as to whether it is in use by nesting birds. Should nests be found, a suitable area of vegetation (no less than a 5m zone around the nest) should be left intact and undisturbed until it is confirmed that any young have fledged before works in that area proceed. This process should be agreed in writing with the Local Planning Authority.  
REASON: In order not to cause destruction of, or damage to, the nests of wild birds, their eggs and young. This corresponds to the protection afforded to them under the Wildlife and Countryside Act 1981 (as amended).

**Statement required by the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 - Article 31**

Planning permission has been recommended for approval for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (2012) (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

**DECISION**

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