

Item No. 6

APPLICATION NUMBER	CB/13/01208/FULL
LOCATION	Land at New Road, Clifton, Shefford
PROPOSAL	Erection of 73 dwelling including affordable housing, an equipped area of play, access and associated works.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Drinkwater & Wenham
CASE OFFICER	Nikolas Smith
DATE REGISTERED	28 March 2013
EXPIRY DATE	27 June 2013
APPLICANT	Taylor Wimpey Ltd & Mr T Cook
AGENT	DLP Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	A decision on this application was deferred by the Development Management Committee in June 2013 to allow an opportunity to address concerns raised by Members
RECOMMENDED DECISION	That planning permission should be granted subject to conditions and a s106 agreement

Summary of decision:

The development would, subject to conditions and planning obligations, cause no unacceptable harm to the appearance of the site or the character of the area, would cause no undue harm to living conditions at neighbouring properties, would result in acceptable standards of living accommodation for future occupiers and would cause no harm to the safe and free flow of traffic. The development would meet the specific site requirements of the Central Bedfordshire (North): Site Allocations DAD (2011) and would be in accordance with the National Planning Policy Framework (2012), the Central Bedfordshire Core Strategy and Development Management Policies (2009), Design in Central Bedfordshire (a guide for development) (2010) and Appendix F (Parking Strategy) of the Central Bedfordshire Transport Plan (2012).

Background:

This application was presented to the Development Management Committee in June with a recommendation for approval. Concerns were raised by Members of the Committee and by Ward Members and it was determined that a decision on the application should be deferred for one cycle so as to allow an opportunity to address the concerns raised. It was not possible for the application to return to Committee after one cycle because the Council needed to reconsult on amendments to the scheme.

In line with the comments raised at the Committee meeting in June, the proposal has been amended in the following ways:

- The two, two and a half storey buildings (containing a total of 12 units) in the North West corner of the site have been removed and replaced by 8, two-storey terraced houses. As a result, the number of units proposed would be 73 rather than 77.
- Garages at the site have been increased in size so that they meet the Council's up to date standards.
- There is to be a replacement hedge along the New Road side of the proposed play area so as to part mitigate the loss of the existing hedge along that boundary of the site.
- More of the hedge on the Eastern side of Harbrook Lane is to be retained.
- The garage serving Plot 1 has been moved so as to minimise the impact on existing trees at No 28 New Road.
- It is now recommended that contributions towards healthcare, Marston Vale and emergency services (a total of £119,240) be diverted towards highway projects in the local area.
- Proposed works to New Road would be amended to increase the amount of on-street parking opportunities and to introduce parking restrictions on the Broad Street/Shefford Road junction to try and prevent existing problematic parking.

In addition, the Transport Assessment and Tree Survey submitted with the application have been updated to reflect specific concerns raised during the committee meeting. These are described later in this report.

It is felt that these amendments to the scheme address the concerns raised by Members at the June Committee meeting and the application is recommended for approval, subject to conditions and a s106 agreement.

This application was originally called to the Committee by Cllr Drinkwater for the following reasons:

- 1) Access, highway safety and parking on and off the site;
- 2) Layout and design
- 3) Density and impact on the surrounding area

Site Location:

An area of land 2.62ha in area on the West side of New Road in Clifton. The New Road frontage is currently demarked by mature hedging and there is a private track running from Shefford Road that forms the Western edge of the application site. The site is characterised by existing hedging marking field boundaries.

To the North of the site are rear gardens serving houses on Shefford Road. To the East are houses and open countryside on the opposite side of New Road. To the South are No's 28, 28a, 30 and 32 New Road and open countryside beyond the extreme South of the site. To the West are No's 39 and 39a Shefford Road and open countryside lies to the South of those houses.

A number of people who live on New Road do not have off-street parking and park their cars on the road.

The Application:

Planning permission is sought for the erection of 73 dwellings made up of the following:

- Market Housing (50 units)
 - 4 x 2-bedroom houses
 - 24 x 3-bedroom houses
 - 22 x 4-bedroom houses (9 of which would be 4/5 bedroom houses)
- Affordable housing (23 units) (31.5%)
 - 1 x 1-bedroom dormer bungalow
 - 16 x 2-bedroom houses
 - 6 x 3-bedroom houses
- A Super Local Equipped Area of Play (SLEAP)
- Access from New Road

Relevant Policies:

National Planning Policy Framework (2012)

Local Policy

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Linking Communities – Accessibility and Transport
CS5	Providing Homes
CS7	Affordable Housing
CS9	Providing Jobs
CS13	Climate Change
CS14	High Quality Development
CS17	Green Infrastructure
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM14	Landscape and Woodland
DM15	Biodiversity
DM17	Accessible Green spaces

Site Allocations (North) Development Plan Document (2011)

Planning Obligations Supplementary Planning Document (2009)

Design in Central Bedfordshire (a guide for development) (2010)

Appendix F (Parking Strategy) Central Bedfordshire Transport Plan (2012)

Relevant Planning History:

There is no recent, relevant planning history at the site.

Consultation responses:

Neighbours were written to and press and site notices were published. The responses are summarised below:

Clifton Parish Council

- The development would conflict with local green infrastructure aspirations.
- The development would not be sustainable.
- There would be too many dwellings.
- The number and size of parking spaces would be wrong.
- Garden sizes would be wrong.
- Not enough play space would be provided.
- There is not enough capacity at the local school.
- The traffic, access and parking situation would be dangerous.
- Inadequate public consultation was carried out by the developer.

Neighbours

88 letters of objection and a petition containing 85 signatures on behalf of the Clifton Residents Association were received, commenting as follows:

- There would be overlooking at Nos 28 and 28a New Road if an existing hedge was removed.
- Introducing parking restrictions along New Road would be detrimental.
- The design of the development would be poor.
- The play space would be poorly located.
- There would be overlooking and a dominant impact at No 39 Shefford Road.
- The width of New Road is already problematic and the development would make the situation worse.
- There would be drainage and sewerage problems.
- The number of houses proposed is disproportionate to the size of the village.
- There should be no three storey buildings.
- Clifton does not have sufficient infrastructure to cope with the development.

- The road network would become dangerous.
- The play area could result in anti-social behaviour.
- There would be overdevelopment.
- The relationships between existing and proposed houses would be unacceptable.
- The retention of existing landscaping would undermine the quality of living accommodation.
- The loss of trees and hedging would be unacceptable.
- The access to the site should be from Shefford Road.
- Construction would be problematic for local residents.
- Not enough play space would be provided.
- The housing mix would be wrong.
- This site should not be developed.
- Affordable housing would not be dispersed properly.
- Harm would be caused to existing trees at No 28 New Road.

The Council consulted again once amended plans were received. Nine objections were received and they are summarised below:

- The development would be unsustainable.
- Too many houses are proposed.
- Houses and gardens would be too small.
- Traffic, including construction traffic would be problematic.
- There would be a cumulative impact on local highways.
- The existing traffic situation is bad.
- Access from New Road would not be appropriate.
- The local infrastructure could not accommodate these houses.
- Not enough on-street parking would be provided.
- Traffic travels quickly down New Road and it would be dangerous.
- The submitted information is inconsistent.
- The pedestrian link between the North West of the site and Harbrook Lane would create noise and disturbance.

It is anticipated that Clifton Parish Council will respond to the amended plans and its comments will be presented in the Late Sheet.

Consultee responses:

Sustainable Transport	No objection
Play Officer	Provision of play space in line with policy requirements would be unduly onerous for a site of this size and the amount proposed would be acceptable. Some of the equipment would not be appropriate (a condition would require details of a revised scheme). Contributions towards outdoor sport, amenity space and indoor sports and leisure centres should be sought.
Housing Development Officer	No objection.
Highways	The access to the site would be safe. No objection subject to conditions.
Internal Drainage Board	No objection
Archaeology	No objection
Environment Agency	No objection subject to condition and informative
Public Protection	No objection subject to condition.
Trees and landscaping	A condition would be needed to ensure that the quality of the replacement hedge along New Road was high.
Ecology	Concerned about the loss of trees and hedgerows at the site because of their ecological value (a condition would require revised landscaping details and details of bat and bird boxes).
Urban Design Consultant	The layout complies with best practice urban design principles well. Traditional materials will be required to help create an identity at the site.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. Layout and appearance
3. Neighbours and living conditions
4. Traffic and parking
5. Drainage, flooding and sustainability
6. Other considerations
7. s106 and affordable housing
8. Conclusions

Considerations:

1. Principle of the development

This is part of a larger site (2.76ha rather than 2.62ha) allocated by Policy HA16 (land at New Road, Clifton) of the Site Allocations Development Plan Document for:

- A minimum of 80 dwellings
- The provision of a Neighbourhood Equipped Area for Play (NEAP) situated in an accessible location (1000m² of play space with 30m buffers)
- Provision of adequate access to the site

The application site is smaller (by around 5%) than the allocated site because No 32 New Road would be retained, rather than incorporated in to the scheme.

The proposed development would not entirely satisfy the objectives of the site allocation policy for two reasons; the number of units proposed would be below 80 (73) and a SLEAP rather than a NEAP would be provided at the site.

The applicant has satisfactorily demonstrated that notwithstanding the reduced size of this application site against the allocated site, to provide 80 units and 1000m² of play space (including the necessary 30m buffers) would result in a development more dense that would likely be found acceptable (in excess of 40dph).

As a result, this application proposes slightly fewer dwellings (73 rather than 80) and a reduced area of play space (550m² with 20m buffers rather than 1000m² and 30m buffers). The development would have a density of 28dph and that would be much more appropriate in a village location like this one.

The access to the site would be safe and adequate and will be described in greater detail later in this report.

Despite not meeting the prescribed criteria of the site allocation policy in full, the development would meet the objectives of that policy, i.e. the provision of housing and a play area able to cater for the needs of existing local residents and future occupiers at the site and the development would be acceptable in principle.

2. Layout and appearance

Layout

Currently, the Eastern edge of the site is marked by a mature hedge running along the New Road frontage. This would be lost and clearly, that would change the appearance of the site and the street scene. The existing hedge would be replaced by less extensive planting along the Eastern edge of the proposed play area. A rural character (open countryside) would be replaced by a semi-urban appearance and a number of local people have raised this as a concern. When a site is allocated for residential development, inevitably it will look quite different once developed and here, the location of the play area and its associated landscaping at the front of the site would help to mitigate the impact of the development.

The general layout at the site would be quite good with a rhythm and feeling of openness expected of a scheme of this density (28dph). Amendments to the scheme have resulted in the northwest corner of the site appearing less dominated by car parking than had been the case. The layout at Plots 24-37a at the West of the site would be less organised than might be ideal. Generally, though, the layout would be sound and would respond well to the site and to the policy requirement for a minimum number of dwellings. A number of local people have raised concerns that the layout would be less organic and more urban than they would have liked see. In places, that is the case but this site is allocated for a minimum of 80 dwellings and it would not be possible to accommodate a development with an extremely rural character in that policy context. The Council asked its urban design consultant for their opinion who felt that the layout responded well to the pressures at the site and that it was acceptable.

In addition to the hedge at the front of the site (that would now be partly replaced), some existing trees would be removed. A comprehensive landscaping scheme would be required by condition.

Concern has been expressed by some local people that too much of the hedgerow along the boundary between Harbrook Lane and the site would be removed. An amendment to the scheme would result in more of that hedge being retained.

Rear gardens, would, for the most part meet the Council's standards in terms of size and layout. All gardens would be around 10m deep and whilst some would be smaller than 50m², the proximity of the SLEAP at the front of the site would mitigate that. Larger houses would mostly be served by larger gardens. Amendments to the scheme have resulted in garages serving Plots 1-3 and 70-73 being moved further forward so that more rear garden would be available for outdoor recreation.

Design

The site does not fall within the Clifton Conservation Area, which begins nearer to the junction with Shefford Road and whilst it would have an impact on its setting, that impact would not be harmful because of the large area of

landscaped play space that would sit at the front of the site.

The applicant's Design and Access Statement explains the approach that has been taken in the design of the proposed buildings. The influence of existing local vernaculars is referred to and that influence is easier to see at some house types than others. The Council has sought notable amendments to the design of some of the buildings so that proportions and detailing would be improved. Concern was raised in consultation responses and at the June Committee meeting that previously proposed two and a half-storey tall flatted blocks would not be appropriate in this setting. In response, the scheme has been amended so that it would no longer include those buildings. Instead, 8 terraced units are proposed. The development would have a more modern design approach than neighbouring existing houses because they would be newer. The houses would be well designed and there would be a variety of house types that would help to create a sense of place and visual interest at the site. Good quality materials would be important in ensuring that the appearance of the site would be acceptable and a condition would secure those.

Play area

The play area would be smaller than the site allocation policy says that it should be (550m² rather than 1000m²). It is clear that the site, even if the whole allocation site had been put forward, could not comfortably accommodate a LEAP and at least 80 dwellings. The area of play proposed would be larger than would normally be expected of a site of this size (550m² rather than 400m²). It would be located at the front of the site where it could be easily accessed by existing Clifton residents as well as those that would live at the site. Local highway works that are described later in this report would improve pedestrian accessibility to the play area. Revised details of the specific equipment proposed would be sought by condition so as to ensure that it would be appropriate.

The impact of the development on the appearance of the site and the street scene, the layout of the development and the play space at the site would be acceptable.

3. Neighbours and living conditions

The distance between first floor windows and No's 27 - 37a Shefford Road to the North would be at least 21m, but for between Plots 66a-67a and No 33. There, the distance would be slightly lower but not unacceptably so. No's 11 - 29 Shefford Road would be far enough away from the proposed houses to prevent harm to living conditions there. The replacement of the proposed flatted blocks with two-storey terraced housing would allow for a more comfortable relationship with existing neighbours than would have been the case originally.

Plot 73 would be 14m away from No 17 New Road, to the East and across New Road but that relationship would be common between front/side facing windows across a highway. The impact of the development on the availability of parking for residents on New Road is described later in this report.

The side wall of No 12 New Road, to the North would be between 20 and 21m

from the nearest rear facing window at Plot 73, and that would be an acceptable relationship.

No 28, the Southeast of the site has a large rear garden and is set by around 14m from its Northern boundary with the site and around 25m from its Western boundary. There is an existing tall hedge along both boundaries with the site that would prevent any overlooking problems. Even if that hedge was removed, distances between the rear of proposed houses and the rear of No 28 would be in excess of 21m. If the hedge was removed, there would be some overlooking of the rear garden at No 28 but it would not be any greater than might be expected in a residential area. The impact of garaging serving Plots 1 and 2 would be largely mitigated by boundary treatment and amendments bringing those garages further forward would improve that relationship.

No 28a New Road is a two-storey dwelling at the rear of No 28. It seems to have been used as an annexe at some point but now appears to be in separate occupation from No 28. Separate Council Tax has been paid at the dwelling since 1996. It has first floor rear facing windows facing the boundary with the site. Amendments were sought to Plot 9a and it would now be a dormer bungalow with a front facing dormer. A rear facing roof window would be obscurely glazed and would serve a bathroom. These amendments would protect living conditions at both properties in the event that the existing tall boundary hedging was removed at any point in the future. No 28a would be able to look down in to the rear garden of Plot 9a but as a one bedroom house, it less likely to be occupied by a family and so this would be less problematic.

The nearest proposed house to No 34 would be across the existing access serving No 30 and would have no side facing windows. Plot 10 would be 21m away from No 30 New Road and would have no side facing windows that might present an adverse level of overlooking.

The rear garden at No 32 New Road would be overlooked by first floor windows at a number of the Plots but the garden there is very large and the impact would not be unacceptably problematic.

The rear garden of No 39 Shefford Road is long and runs parallel to the track leading from Shefford Road to the site. Plots 38 and 60a-63a would be between 10 and 12m away from the boundary with that garden at their nearest points but the retention of the existing hedge along Harbrook Lane would help to mitigate any impact. The relationship would be a common one in a residential area and would not be harmful.

No 39a Shefford Road fronts the track and so would face the site. Plot 39 would face it at a distance of at least 16m which would be acceptable for a face to face relationship, especially now that much more of the Harbrook Lane hedgerow would be retained. Currently, the occupiers at No 39a are able park their car along the full depth of the frontage with the track. Bollards at the end of Harbrook Lane would prevent vehicular traffic from the site from using it but would still allow the occupiers of No 39a to drive along it.

Concern has been raised that the link at the North West of the site to Harbrook Lane would result in noise, disturbance and litter problems, particularly for No's

37a and 39 Shefford Road. Clearly, use of the link would result in a level of activity but given that it would be one of two connections to the Lane (and arguably the less frequently used of the two), it is not felt that the level of disturbance would be significant. There would be no real opportunity to congregate there and the benefit of this link in so far that it would add permeability to the site and would promote walking and cycling would outweigh what would likely be a modest impact on nearby neighbours. No 39 Shefford Road does have a side facing window at ground floor level and people using Harbrook Lane would likely reduce privacy enjoyed by that window. That window already looks out on to Harbrook Lane and although it is currently used less than it would be, it is not a very private opening. Again, the use of Harbrook Lane would be a real benefit for future occupiers at the site and that would outweigh what would be a fairly modest impact on privacy. A condition would control lighting at the site and on Harbrook Lane and any impact on living conditions would be assessed when details were submitted post decision. The occupier at No 37a has requested that the location of the link to Harbrook Lane be moved so that it ran between Plots 38 and 60a. Whilst that location would be reasonably sound, it would require a break in the Harbrook Lane hedge and given that it is felt that the current proposed location would be acceptable, no amendment has been sought.

Overall, the development has been well designed to respond to adjoining buildings and no harm would be caused to living conditions at neighbouring properties.

4. Traffic and parking

Works to the highway

The applicant has submitted a Transport Assessment that sets out the likely impact that the development would have on the local highways network.

In response to concerns raised at the June Committee meeting, the applicant submitted a revised statement. Data from CBC surveys taken in 2011 (and factored up to reflect 2013 figures) and local surveys were used to predict the impacts that the development would have on the highways network. The report sets out that the proposed development may generate 42 vehicle movements in the AM peak (0800 - 0900) and 46 movements in the PM peak (1700 - 1800). The Assessment concludes that subject to measures described below, the impact would be an acceptable one. The Council's Highways Officers agree with these conclusions. In addition, Highways Officers are satisfied that access to and from the site would be safe.

The following highways works would be secured through the planning permission:

- The introduction of a 'give way' system to the South of No 38 New Road to reduce traffic speed.
- The introduction of a crossing point to the North of the site access, allowing convenient pedestrian access to the play area.
- The introduction of parking restrictions around the New Road/Shefford Road and the Shefford Road/Broad Street junctions.

- The introduction of a footpath along the Western side of New Road (although this would be narrow outside of No 8 New Road).

Initially, more dramatic parking restrictions and road widening were proposed but it was felt that this could result in an increase in vehicle speed along New Road and would unnecessarily limit the amount of local on-street parking.

A number of residents on New Road do not have on-site car parking provision and so rely on New Road for on-street parking. The introduction of parking restrictions would impact on the availability of parking spaces. Pressure would be less because the introduction of parking restrictions would be less than was initially proposed and 5 spaces are proposed in two lay-bys along the Eastern edge of the site. The applicant's Transport Assessment demonstrates that of 19 properties at the Northern end of New Road, 8 appeared to have no off-street parking provision. It sets out that there is currently only provision for around 13 cars to be legally parked and that assuming that each of the 8 houses had two cars, 16 spaces would be required. In addition to those provided in the proposed lay-bys, 12 cars could be parked on the stretch of New Road between the entrance to the site and the junction with Shefford Road, to the North. It is felt that the provision of a total of 17 spaces would allow for acceptable levels of on-street parking provision. 4 more spaces would be provided than could currently be legally accommodated and they would be in safe and convenient locations, controlled by yellow lines rather than being unregulated, as is currently the case.

The existing track leading from the West of the site to Shefford Road would be closed off for vehicular traffic in to the site (other than those used by occupiers of or visitors to No 39a Shefford Road) and used as a pedestrian and cycling link. This link would be useful in connecting the site to the surrounding roads and services and would allow existing Clifton residents an opportunity to easily access the play area.

Parking at the site

Parking at the site would be provided broadly in line with the Council's current parking standards. All of the units would be provided with at least the number of spaces that the standards say that they should be but for the terraced housing at the North West of the site (Plots 52-63a - 12 units) that would have a shortfall of 2 spaces overall. In addition to parking spaces that meet the standards, all but one of the 4 bedroom units would be provided with a double garage. Amendments to the scheme have resulted in garages being increased in size so that they met the Council's recent standards (3.2 x 7m internally). With these garages being used for parking, the amount of off-street parking provided by the scheme overall would be significantly in excess of the Council's standards. A number of the houses would be served by carports and details of these would be secured by condition. The Council's standards set out that 18 visitor parking spaces should be provided at the site. 16 would be provided (including a surplus of two spaces near to Plots 5a-12). Given the over provision of parking elsewhere at the site, a small shortfall in visitor numbers would not be unacceptable. Visitors would likely be able to park on Plot, and the play area would be served by 4 visitor spaces.

The traffic and parking situation at the site would be acceptable.

5. Drainage, flooding, and sustainability

Neither the Environment Agency or Internal Drainage Board has objected to the application. The EA has requested conditions that would ensure that drainage from the site was properly dealt with.

A condition would require details of how low-carbon and renewable energy sources would be used at the site.

6. Other considerations

Ecology

The Council's Ecologist is concerned that the loss of existing trees and hedges at the site would reduce the site's ecological value. As such, a revised landscaping scheme would be sought by condition and a condition would control the provision of bird and bat boxes.

Archaeology

The applicant has submitted a report that demonstrates, to the satisfaction of the Council's Archaeologist, that no harm would be caused to local archaeological heritage assets.

Trees

Concern had been raised that inadequate attention had been paid to existing trees near to the boundary with Plots 1 and 2 (with the garden of No 28 New Road). In response, a revised Tree Survey was undertaken and submitted. The garages serving Plots 1 and 2 are now proposed to be positioned further from that boundary and tree protection measures are proposed. The Council's Tree Officer is satisfied that these measures would be successful and a condition is recommended that would ensure that the recommendations set out in the report were fully complied with. The Tree Officer has considered the overall quality of those trees and does not consider them worthy of a Preservation Order.

7. s106 and affordable housing

31.5% (23 units) would be affordable and they would be a mix of one, two and three bedroom units. Whilst lower than the Council's policy suggests (26 units would be provided if 35% was proposed) that the provision should be, amendments to the scheme have been made to address concerns raised and that has resulted in fewer units being proposed. In order to achieve an acceptable scheme here, a small reduction in the amount of affordable housing proposed would be acceptable. The tenure mix would be determined through the s106 agreement.

Contributions would be made to mitigate the impact of the development on existing local infrastructure in line with the Council's Supplementary Planning Guidance. The following contributions would be made:

Education: £607,479.34
Sustainable Transport: £37,241
Health Facilities: £47,835
Leisure, Recreational Open Space and Green Infrastructure: £203,716
Community Facilities and Services: £580
Community Cohesion: £1,387
Waste Management: £3,358
Emergency Services: £16,494

Total: £918,090.34

These contributions would be acceptable.

Local highways works

Consultation responses has made it clear that there is a perception locally that further local highway works would be beneficial. Whilst it is felt that the highways works proposed would mitigate the impact of the development on the local highways network, it is important that the s106 agreement is local relevant. As such, it is recommended that the following contributions are redirected from the total above towards highways improvement in the locality:

Healthcare: £47,835
Marston Vale Community Forest (from Leisure, Rec and Open Space)L £54,906
Emergency Services: £16,499

Total: £119,240

8. Conclusions

The principle of residential development at this site is established as acceptable by the site allocation policy. Fewer units and a smaller area of play space than that set out in the policy is proposed but that is justified by the fact that a fully policy compliant scheme would have resulted in a density unlikely to have been found acceptable. The site is slightly smaller than that allocated but not to an extent that undermines the objectives of the site allocation policy. The design and layout at the site would be good and the amount and quality of play space would be acceptable. No harm would be caused to living conditions at neighbouring houses. The access to the site would be safe and works to the highway would mitigate the impacts of the development. Parking would be provided in excess of the Council's standards. There would be no other planning impacts and the impact of the development on existing local infrastructure would be properly mitigated. Affordable Housing would be provided at an acceptable level. The scheme has been amended so as to address the concerns raised by Members when the scheme was presented to the Development Management Committee in June 2013.

Recommendation:

That Planning Permission is granted subject to the satisfactory completion of a s106 agreement reflecting the terms set out in this report and the following conditions:

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

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

- 2 **No development shall commence at the site before a construction and environmental management plan has been submitted to and approved in writing 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,**
- **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 sighting and appearance of the works compounds**
- **Wheel cleaning facilities for construction traffic.**
- **The hours of work**

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

Reason: to safeguard the amenities of adjoining occupiers, to protect the surrounding countryside, and prevent the deposit of materials on the highway.

- 3 **No development shall commence at the site before details of the type and location of bat and bird boxes to be located at the site have been submitted to and approved in writing by the Local Planning Authority. The details shall be carried out as approved before any unit at the site is occupied.**

Reason: To ensure that the impact of the development on the ecological value of the site is reduced.

- 4 **No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate**

the surface water run-off generated up to and including the 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include

1. Details of all elements (i.e. modelling reference labels, designs, diameters, gradients, dimensions, and so on of all pipes, inspection chambers, and flow control device(s)) of the proposed drainage systems should be provided as part of the detailed surface water drainage scheme.

2. Overland flood flow routes and subsequent flood risk in the event of surface water system failure. It is essential the flood flow is routed away from vulnerable areas and property, and that the development remains “safe”.

3. Clear details of the ownership and responsibility of maintenance of all drainage including pipe networks, control structures and SUDS elements for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

- 5 Notwithstanding the submitted details, no development shall commence at the site before details of the proposed play area at the site including the proposed equipment, layout and materials to be used together with a timetable for implementation, and details of future management has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the approved timetable.**

Reason: To ensure that adequate provision is made for play at the site.

- 6 No development shall commence at the site before details of how the development will achieve a reduction in carbon emissions of at least 10% more than required by current Building Regulations through the use of on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability.

- 7 **No development shall commence at the site before details of bin storage/collection point have been submitted to and approved by the Local Planning Authority. The details shall be carried out as approved prior to the occupation of any dwelling at the site.**

Reason: In the interest of amenity.

- 8 **Notwithstanding the submitted details, no development shall commence at the site before revised details of hard and soft landscaping at the site including details of the proposed replacement hedgerow on the New Road frontage have been submitted and approved by the Local Planning Authority. The details should include justification for the proposed loss of existing trees and hedgerows at the site and a timetable for the implementation, completion, management and maintenance of landscaping at the site. The details shall be carried out as approved.**

Reason: To ensure a satisfactory appearance at the site.

- 9 Car parking shall be provided in accordance with drawing 479/03 E prior to the occupation of the relevant residential unit and shall be provided in full prior to the occupation of the last residential unit at the site.

Reason: To ensure that adequate car parking is provided at the site.

- 10 **No development shall commence at the site before details and samples of materials to be used in the construction of external surfaces at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site would be acceptable.

- 11 **No development shall commence at the site before details of boundary treatment to be used at the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure adequate privacy for future occupiers.

- 12 **No development shall commence at the site before details of existing and proposed site and slab levels and proposed cross sections through houses that border the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To protect living conditions of at neighbouring and proposed properties.

13 The development shall be carried out strictly in accordance with recommendations set out in section 9 (and the corresponding plans and drawings) of the Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement revised on 9th July 2013.

Reason: To ensure that trees near to the site are not unduly harmed by the development.

14 **Notwithstanding the details shown for indicative purposes on the plans (and within the Transport Assessment) submitted in support of the application, no development shall commence at the site before a scheme indicating the following measures has been submitted to and approved by the Local Planning Authority.**

- **Speed reduction measures along New Road**
- **Measures to control on-street parking along New Road and surrounding junctions.**
- **Provision of parking bays within the New Road frontage of the site but clear of the existing carriageway.**
- **Provision of a varying width footway along the west side of New Road to form a continuous pedestrian link from the site to the junction of New Road with Shefford Road.**

No dwelling shall be occupied until such time as the approved works have been implemented unless otherwise agreed by the Local Planning Authority.

Reason: To safeguard against any detrimental impact the development may have on existing vehicle movement and parking along New Road and to provide a safe route for pedestrians.

15 **Notwithstanding the submitted details, no development shall commence at the site before details of works to Harbrook Lane so that it would be improved to provide a safe and convenient link for pedestrians and cyclists between the site and Shefford Road and a vehicular route for occupiers and visitors to No 39a Shefford Road have been submitted to and approved in writing by the Local Planning Authority. The details shall include surfacing, drainage and lighting (if proposed). No dwelling shall be occupied until such time as the approved works have been completed unless otherwise agreed by the Local Planning Authority.**

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 16 No part of the development shall begin until visibility splays have been provided on both sides of the access between a point 2.4metres along the centre line of the access measured from the edge of carriageway and a point 43.0metres along the edge of carriageway measured from the intersection of the centre line of the access. The area contained within the splays shall be kept free of any obstruction.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

- 17 **No development shall commence at the site before detailed plans and sections of the proposed roads, including gradients and method of surface water disposal have been submitted to and approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed road works are constructed to an adequate standard.

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

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

- 19 **No development shall commence at the site before details of a wheel cleaning facility have been submitted to and approved in writing by the Local Planning Authority. The facility shall be provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadwork's necessary to provide adequate access from the public highway have been completed (apart from final surfacing) to the satisfaction of the Local Planning Authority.**

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

- 20 **No development shall commence at the site before a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and * short stay spaces per unit, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into**

use 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.

- 21 **No development shall commence at the site before a scheme detailing access provision to and from the site for construction traffic that show what arrangements will be made for restricting such vehicles to approved points of access and egress has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be operated throughout the period of construction work.**

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

- 22 **No development shall commence at the site before a scheme detailing provision for on-site parking for construction workers and deliveries for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.**

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

- 23 Before first occupation of the approved development, all access and junction arrangement serving the development shall be completed in accordance with the approved in principle plans and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

- 24 **No development shall commence at the site before details of car ports at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: To ensure that the appearance of the site and parking provision would be acceptable.

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [01 (Site Location Plan), 1 of 1 (Topographical Survey), JBA 13-53-02 rev A, JBA 13/53-01 rev B, JBA 13/53-03 rev A, 479/03 C, 479/04 B, HT-01 - 00, HT-02 - 01, HT-03-00, HT-04 - 01, HT-06 - 00, HT-07 - 01, HT-07/A - 00, HT-07/B - 00, HT-07/C - 00, HT-08 - 00, HT-09 - 01, HT-10 - 00, HT-11 - 00, HT-12 - 01, HT-13 - 01, HT-14 - 00, HT-15 - 01, HT-16 - 01, HT-17 - 01, HT-18 - 00, HT-19 - 00, HT-20 - 00, HT-21 - 00, HT-22 - 01, HT-23 - 00, HT-24 - 01, HT-25 - 00, HT-26 - 00, Foul and Surface Water Strategy, Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement, Flood Risk Assessment, Phase II Geo-Environmental Assessment Report, Archaeological Geophysical Survey of

Land at Harbrook Lane, Clifton, Bedfordshire, Archaeological Desk Based Assessment, Archaeological Field Evaluation, Draft Heads of Terms, Energy Statement, Planning Statement (including Affordable Housing Statement), Preliminary Contamination Assessment Report, Statement of Community Involvement, Energy and Sustainability Report, Design and Access Statement, Measured Works Schedule Softworks only, Residential Travel Plan, Transport Assessment and Ecological Survey].

Reason: For the avoidance of doubt.

Notes to Applicant:

1. Groundwater flooding was not considered as part of the flood risk assessment. The risk of groundwater flooding should be considered at the detailed design stage, if underground storage is to be used, and appropriate mitigation measures taken based on this assessment.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

2. **[Groundwater and Contaminated Land](#)**

We have reviewed the MLM Environmental Preliminary Contamination Assessment Report of 6 September 2012 (Ref: DMB/723732/R1), MLM Environmental Phase II Geo-environmental Assessment Report of 19 September 2012 (Ref: DMB/723732/R2) and MLM Environmental Foul and Surface Water Strategy drawing of 28 February 2013 (Ref: 615049/110) among other documents submitted with the application.

Following review of the above documents and our own information, we agree with the conclusion of the report that the site does not pose a significant risk to controlled waters, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

The developer should address risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency [Guiding Principles for Land Contamination](#).

3. **[Environment Management](#)**

The developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options in accordance with environmental permitting regulations and in particular the Duty of Care. Further information can be obtained from your local Environment Agency office.

Excavated material arising from land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for its handling, transport, treatment and disposal please see our waste pages at <http://www.environment-agency.gov.uk/business/topics/waste/default.aspx>

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. More information can be found in the Pollution Prevention Guidance 6 - Working at construction and demolition sites - at <http://www.environment-agency.gov.uk/static/documents/Business/EA-PPG6 - 03 2012 Final.pdf>

4. The applicant is advised that in order to comply with 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 and any Traffic regulation Orders. Further details can be obtained from the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
5. All roads to be constructed within the site shall be designed in accordance with Central Bedfordshire Council's publication "Design in Central Bedfordshire A Guide to Development" and the Department for Transport's "Manual for Streets", or any amendment thereto.
6. 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 Control Group, Development Management Division, 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.

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

8. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ

9. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Technology House, 239 Amphill Road, Bedford MK42 9BD.

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

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (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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