

Development Management

Central Bedfordshire Council

Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ
www.centralbedfordshire.gov.uk



APPLICATION NO.	CB/13/01265/RM and 13/00751/MAR
LOCATION	Land To East Of Ampthill Road Opposite Sheffield House, Ampthill Road, Houghton Conquest
PROPOSAL	Central Bedfordshire Council Reserved Matters: following Outline Application CB/10/01905/VOC for approval of appearance, layout, scale and landscaping for Plots 1-8, 10-16, 20-31, 23-27, 96-110 and partial plots 17, 18, 19, 42, 48 and 49 (52 dwellings). Bedford Borough Council Reserved Matters: following Outline Application 10/01364/M73 for approval of appearance, layout, scale and landscaping for Plots 32-41, 50-94 and partial plots 17, 18, 19, 42, 48 and 49 (57 dwellings)
PARISH	Houghton Conquest, Stewartby and Wilstead
WARD	Houghton Conquest and Haynes
WARD CLLR	Cllr Mrs Barker
CASE OFFICER	Lauren Westley (CBC) and Wayne Campbell (BBC)
DATE	29 April 2013
REGISTERED	
EXPIRY DATE	29 July 2013
APPLICANT	Morris Homes Ltd
SUBMITTED	E921/P/PL01 Rev K, , M2261.01C,
PLAN NUMBERS	E291/P/FENCE/01, E921/P/LP02, E921/P/HTRUF+/02 Rev A, E921/P/HTBUDSA/02, E921/P/HTDID/02, E921/P/HTDAL/DET/02, E921/P/HTDAL/SEMI/02, E921/P/HTPIC/02, E921/P/HTHOU/02, E921/P/HTPIC/02, E921/P/HTR3/01, E921/P/HTR3SA/01, E921/P/HTBERSA/02, E921/P/HTWIN/02, E921/P/HTR3/02, E921/P/HTR3SA/02, E921/P/HTSTRA/02, E921/P/HTWILSA/02, E921/P/HTWHA+/02, E921/P/HTSTA/02, E921/P/HTBRA+/02, E921/P/HTBOLSA/02, E921/P/HTBOL/02, E921/P/HTAPP+/02, E921/P/HTDUN/02, E921/P/HTBUD/02, E921/P/GARAGE/01, E921/P/HTSTRA/01, E921/P/HTWIN/01, E921/P/HTWILSA/01, E921/P/HTWHA+/01, E921/P/HTSTA/01, E921/P/HTBRA+/01, E921/P/HTBOLSA/01, E921/P/HTBOL/01, E921/P/HTBERSA/01, E921/P/HTAPP+/01, E921/P/HTDUN/01, E921/P/HTBUD/01, E921/P/HTBUDSA/01, E921/P/HTDID/01, E921/P/HTDAL/DET/01, E921/P/HTDAL/SEMI/01, E921/P/HTRUF+/01, E921/P/HTHOU/01, E921/P/HTPIC/01.

RECOMMENDED Approval DECISION

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 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.

SITE LOCATION:

The application site relate to a vacant area of land which straddles the boundary of Bedford Borough Council and Central Bedfordshire Council. The application site overall covers an area of approximately 4.14 hectares split almost equally between the two authorities.

To the North West the site shares a common boundary with the Network Rail main line, to the south is Bedford Road (B530) and to the south east is the remaining part of the site located within the Central Bedfordshire area. There is a drainage ditch along the Eastern boundary of the entire site within both Local Authority areas. The main access into the site will be from the B530 and is to be located within the area of Central Bedfordshire district.

The site is overgrown with mature and semi-mature landscaping in the form of trees, hedgerows. As the site is unused there is evidence of fly tipping within and around the edge of the site. The site has recently been cleared of vegetation and has been re-graded and any contamination present on the site remediated.

SITE HISTORY:

In the 1930's the site was occupied by a hostel which was built as accommodation for workers during the construction of the nearby Elstow Royal ordnance factory. By the 1970's the site was being used as storage depot and was surrounded by quarry sites associated with clay extraction and the brick manufacturing industry.

By the late 1990's the site was being considered as part of the larger Wixams Settlement, and is indicated in the *Wixams Planning and Development Brief 1999* as being within the extent of the development brief, but outside the settlement core.

In 2008, outline planning permission was granted for the residential re-development of the site on appeal for the Central Bedfordshire section and a committee decision for the section of the site within the area of Bedford Borough Council. Subsequently the site has been cleared and remediated.

THE APPLICATION:

Following the grant of outline planning permission, and the subsequent variations of conditions, the applicant has submitted two reserved matters applications, one to each Local Authority for their part of the site.

The application within the Central Bedfordshire area is reference CB/13/01265/RM is for 52 dwellings while the application for Bedford Borough Council is for 58 dwellings with a reference of 13/00751/MAR. Both applications seek approval for the appearance, layout, scale and landscaping for the dwellings on the site. Along with full plans showing elevation details and floor plans. Each application is supported by a planning statement, design and access statement, noise report, energy statement and a transport assessment.

RELEVANT POLICIES:

National Planning Policy Framework (2012)

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 11 - Conserving and enhancing the natural environment

Central Bedfordshire District Council Policies

Core Strategy and Development Management Policies - North (2009)

CS1 - Development Strategy

CS2 - Developer Contributions

CS5 - Providing Homes

CS7 - Affordable Housing

CS13 - Climate Change

CS14 - High Quality Development

DM1 - Renewable Energy

DM2 - Sustainable Construction of New Buildings

DM3 - High Quality Development

DM10 - Housing Mix

Bedford Borough Council Policies

Allocations and Designation Local plan 2013

AD1 Sustainable development Policy

AD2 Sustainable Design and Construction

AD25 Forest of Marston Vale

AD28 Provision of Open Space and built Facilities in association with New development

AD36 Pedestrian Routes

AD39 Cycling

AD43 Open Spaces

Core Strategy and Rural Issues Plan 2008

CP1 Spatial strategy

CP2 Sustainable Development Principles

CP7 Meeting Housing Needs

CP8 Affordable Housing in the Borough

CP21 Designing in Quality
 CP22 Green Infrastructure
 CP24 Landscape Protection and Enhancement
 CP25 Biodiversity
 CP26 Climate Change and Pollution

Bedford Borough Local Plan 2002 Saved Policies.

BE7 Renewable Energy-Criteria
 BE8 Energy Efficient Layouts
 BE29 High Standard of Design
 BE30 Material Considerations in the Control of New Development
 BE34 Development adjoining Main Road and Rail Routes
 BE35 Achieving Quality in Residential Layouts
 BE36 Space about Buildings
 BE38 Landscaping
 BE39 Landscaping
 BE40 Landscaping
 BE45 Community Safety

Supplementary Planning Guidance

Elstow new settlement planning and development Brief September 1999

Design in Central Bedfordshire: A Guide for Development (2010)

DS 1 New Residential Development
 DS7 Movement, Streets and Places

Central Bedfordshire Council's Planning Obligations SPD - North (2009)

Central Bedfordshire Council's Site Allocations SPD (2011)

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

PLANNING HISTORY:

<p>CB/13/01871/VOC</p>	<p>Variation of Condition 7 on planning application CB/10/01905/VOL.</p> <p>Replacing requirement for Code for Sustainable Homes, with requirement for 10% of energy consumption to come from renewable energy or that alternative measures will achieve a 10% energy reduction than the current building regulations.</p> <p>Pending determination.</p>
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CB/10/01905/VOC	Variation of Condition 1 on planning application CB/10/00707/VOC to remove requirement to submit existing and proposed levels as part of the landscaping details and to include an additional condition requiring the levels of the site to be raised in accordance with the submitted details. Approved - 18.08.2010
10/01364/M73	Variation of Condition 1 on planning application 00/01945/OUT to remove requirement to submit existing and proposed levels as part of the landscaping details and to include an additional condition requiring the levels of the site to be raised in accordance with the submitted details. Approved - 19.08.2010
CB/10/00707/VOC	Removal of Condition 12 (Affordable Housing) and Condition 13 (Community, Leisure and Social Facilities), on planning application MB/00/01971/OUT, which are to be replaced by a S106 Obligation. Approved - 18.05.2010
MB/00/01971/OUT	Outline: Redevelopment for Housing and Public Open Spaces together with modified access onto the B530 Bedford Road (all Matters Reserved except access). Granted on appeal on 22.02.2008 under reference APP/J0215/A/07/2056713/NWF.
00/01945/OUT	Outline: Residential development (Outline) including details of access. Granted on 19.11.2009

REPRESENTATIONS:

Parish & Neighbours

Houghton
Conquest Parish
Council
Stewartby Parish
council

No objections raised, however the parking provision is considered inadequate at 2 spaces per 3+ bedroom dwellings.

Concerned about the proximity of the proposed entrance junction to the bridge in that it is too close we would advise that this be reassessed in that the junction be moved further away from the bridge as the speed of cars would be dangerous under the circumstances.

Neighbours
(One response
received)

Concern about speed on road, hazardous bend and lack of street lighting.

Between the hours of 11.30pm and 4.30am there are train worker on nearby track with subsequent noisy machinery, flashing lights, warning signals. Properties shake. Also numerous commercial freight trains travelling throughout the night.

Concern about how new residents would react to adjacent dog rescue centre which has up to 30 dogs at one time.

The land has a number of hazards as it used to be a military dumping ground.

The estate will be on a recognised flood plain.

Site Notice

Displayed 24.05.2013 and 02.05.13

Consultations/Publicity responses

CBC Highways	<p><i>Initial Comments -</i> Several concerns are raised.</p> <ul style="list-style-type: none">• No pedestrian or cycle linkages with wider Wixam's development;• Further details in respect of road square are required - tracking diagrams and construction details;• Car parking, including garage sizes, are non-compliance with CBC standards;• No visitor parking has been provided;• The rear parking court serving plots 25-31 should be excluded, such parking arrangements present a security risk and tend to be underused;• Driveway lengths should be a minimum of 6.0m in front of garages and second and further on-drive parking spaces should be 5m in length;• No provision for cycle parking. <p><i>Comments on Revised Plans-</i> I acknowledge receipt of the revised plan E921/P/PL01 revision E amended to incorporate various planning and highway concerns. However the accompanying letter refers to the submission of further details with regard to vehicle tracking to demonstrate that service vehicles can penetrate the site. Whilst I am reasonably content that the turning heads are now of an appropriate configuration I still have concerns in respect of the road square at the end of the initial access road. In particular, given the mix of materials as shown I do not believe that a refuse vehicle can turn into or from the shared surface roads without overrunning the soft landscaped areas.</p>
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	<p>In the absence of those details, and in the event that the drawings are not submitted in time for the scheme to be considered you might consider the imposition of the following condition which would avoid further delay.</p>
<p>CBC Landscaping</p>	<p><i>Initial Comments -</i> The scheme does not adequately reflect the Landscaping Strategy drawing produced by the Landscaping Partnership (Nov 09).</p> <ul style="list-style-type: none"> • Lack of substantial structural planting; • Lack of open space within the development; • Lack of access through to the adjacent Wixams village; • Limited extent of planting to support biodiversity <p><i>Comments on Revised Plans -</i> New landscaping has been received, which does require some tweaking with regards to the species indicated but generally acceptable.</p>
<p>CBC Waste/Recycling</p>	<p><i>Initial Comments -</i></p> <ul style="list-style-type: none"> • Trees - location of trees especially close to junctions will cause access problems for collection vehicles. • Junction at plots 107, 20, 9 and 7 - The layout of this junction will inhibit access around this part of the site. Proposed finished surface is also of concern due to damage sustained inevitably as a result of large vehicles accessing the site and ongoing maintenance. • Collection points - There is a need for communal collection points, these will need to be defined on any finished surface and be of adequate size. • Vehicle tracking - Bollards are of concern, rounding off of corners is required for smooth transition. • Mini recycling site - No provision has been made. • Grounds Maintenance - Who will be maintaining LEAP? More details are required. <p><i>Response to Comments -</i> Several of the points in relation to vehicular tracking, junctions and trees are dealt with by Highways. Collection point details can be controlled by condition. Developer has confirmed that management of LEAP will be through private management company.</p>
<p>CBC Public Protection (Contamination)</p>	<p>Any legacy conditions regarding contamination should be imposed on the grant of any planning permission, and any outstanding remediation or validation measures implemented and submitted in writing for approval.</p>

<p>CBC Public Protection (Environmental Health)</p>	<p>Whilst being broadly satisfied that the scheme to protect the dwellings against noise should be adequate, in the rooms with proposed fixed shut windows, it is proposed that ventilation is achieved by passive means.</p> <p>However, ventilation should be achieved via mechanical means, as set out in BS8233. This matter could be conditioned, but alternatively details could be submitted for approval within this application.</p>
<p>CBC Minerals and Waste</p>	<p>No comments.</p>
<p>CBC Housing Development Officer</p>	<p>I would expect to see 35% affordable housing or 19 affordable residential units. I would like to see a tenure split of 63% Social/Affordable Rent or 12 units and 37% Intermediate tenures such as Shared Ownership or 7 units as per our SHMA. I would like to see a range of units dispersed throughout the site (pepper plotting) and integrated with market housing to promote community cohesion and tenure blindness. I would also expect 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, I would support the application.</p>
<p>CBC Ecology Officer</p>	<p><i>Initial Comments -</i> A pond is shown on the Landscape Strategy, but not on the Site Plan. The pond formed part of the mitigation package for a Natural England License EPSM-2010-1763 and it is therefore required to be retained.</p> <p>If the pond is to be removed/filled then a mitigation license is required from Natural England.</p> <p><i>Comments on Revised Plans -</i> Pond is now being retained, support in principle, subject to profiles and future management.</p>
<p>CBC Public Art Officer</p>	<p>The S106 agreement provides for a public art contribution, however no details of where or how public art will be incorporated into the development.</p>
<p>CBC Green Infrastructure Co-ordinator</p>	<p>There is a limited extent of multifunctional green space delivered by the site.</p>
<p>CBC Play and Open Space Officer</p>	<p>No response received.</p>

Bedfordshire and River Ivel Internal Drainage Board	<p><i>Initial Comments -</i> It is noted from previous correspondence that the applicant intends to provide flood plain storage compensation on an adjacent site and that finished floor levels will be set above the 1:100 year plus climate change flood level although no details of this have been included with this application.</p> <p>In addition, it is not clear from drawing no. E921/P/PL01 Rev A whether sufficient space has been left between the banktop of the adjacent IDB controlled water course and the proposed development. No development should take place (including landscaping or planting) within the Board's statutory maintenance strip.</p>
Environment Agency	No comment - application falls within the IDB's jurisdiction.
Architectural Liaison Officer - Bedfordshire Police	<p><i>Initial Comments -</i> Objection in principle.</p> <ul style="list-style-type: none"> • Development is not in accordance with Community Safety SPG (2005); • The development will be needlessly criminogenic - as a result of level of permeability and accessibility throughout scheme; • 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 the layout is actually highly detrimental in this respect. <p><i>Comments on Revised Plans -</i></p> <ul style="list-style-type: none"> • On the revised plans there are no railings for much of the perimeter adjacent to rail track and where they are shown, they don't appear to be the 1.5 hoop-top which I had thought had now been generally accepted estate railings, or vertical railings under 1.5m, are not fit for purpose in this context.
Network Rail	<p>No objection in principle.</p> <p>There are some requirements that must be met, in relation to drainage and construction.</p> <p>Can be dealt with via condition where relevant.</p>
BBC Highways Development Control Officer	<p><i>Initial Comments -</i> The main road through the estate could be a change of surface material only (no ramps) with the footway in tarmac as discussed at out meeting with Morris Homes, a tegular block would suffice in this instance although we would prefer to see a tarmac carriageway.</p>

	<p>More than 5 dwellings served from a private drive for Plots 63 to 70, adoptable road layout therefore needs to be extended. The layout then would also be Approved Document B compliant. The loss of a visitor space in this area would be acceptable so that the bin store can be rotated to suit and the parking space for plot 61 moved to the west.</p> <p>With regards to the tracking drawings, not all of the plans are at the correct scale as shown i.e. 1:1000 at A3 when they clearly scale 1:500 when printed correctly. Notwithstanding this no tracking has been provided for an RCV entering the development and then turning immediately left heading towards Bedford Borough Council residents. Tracking plans Sk13 and Sk14 show the RCV entering private land which is not permitted, extend turning heads to ensure all RCV movements are kept within adoptable road area. SK15 and SK16 are right up to the edge of areas of car parking in the turning heads with no lateral clearance at all, the roads at these points will need to be made wider to ease the RCV movements.</p> <p>No revised details have been provided for the integral garages of the Appleton and Rufford dwelling types which fell short in terms of internal floor space.</p> <p><i>Comments on Revised Plans -</i></p> <p>Following amended plans the layout is now acceptable (subject to changes required for the tracking of the RCV) except for the junction of the road serving plots 93 to 105 which is on the border with Central Bedfordshire. The radii should be 6m on both sides. The private drive still serves more than 5 dwellings but I am prepared to accept 6 in this instance only.</p>
BBC Parks and Countryside Officer	<p>Additional trees are required in the rear gardens of plots 7,15,16 and additional planting associated with the car parking areas opposite plots 91-95, 70-78, frontage of plots 58 and 59, 13 and 14. Proposed grass areas between the proposed hedges and parking bays / road should be planted in their entirety.</p> <p>Would suggest the planting to Ampthill Road frontage is of larger trees than the Pyrus. Prunus avium plena would suit and link with the entrance avenue trees.</p> <p>The frontage area beyond the red line needs to be included in the landscape proposals.</p> <p>The space allowed for the LEAP may be inadequate and may require additional soft landscape works when details are submitted.</p>

	<p>Some island beds of trees and under planting should be included in the open space which will interface with the adjoining development space.</p> <p>The bound granite footpath should preferably be replaced with a bound Breendon Gravel or similar path.</p> <p>The Skimmia species should be omitted and substituted as local soils don't tend to favour this type of shrub.</p>
BBC Waste Services Team	<p>Bedford Borough Council and Central Bedfordshire acknowledge that the boarder runs between streets and properties. Collection services between the Borough and Central Bedfordshire are very different and would cause many issues for both residents and collection crews. Services supplied by either Council are not offered in both and will inevitably cause strains between the residents with regards to waste and street cleansing. We would advise that the border between Bedford Borough and Central Bedfordshire be moved in order for whole sections of the new development to retain the same services and charges for waste collection and street cleansing, and to avoid unnecessary problems once the Council's have taken over responsibility.</p>
BBC Environmental Health Officer	<p>The application is accompanied by a specific noise report for the dwellings.</p> <p>The main issue affecting the development within Bedford Borough is noise from the rail line. The report identifies that the development will be able to meet the specific criteria on the permission, it does however rely on indicative distances and in order for the report to be valid, the development will need to be constructed at these separation distances.</p> <p>The report identifies that with windows open the limits will be significantly exceeded and that passive ventilation will be required.</p> <p>BS8233 states in part 8.4.7.4:-</p> <p><i>The Building Regulations on ventilation [32], [33], [34] recommend that habitable rooms in dwellings have background ventilation. Trickle ventilators can provide this, and sound attenuating types are available. Where sound insulation requirements preclude opening windows for rapid ventilation and cooling, acoustic ventilation units incorporating fans are available for insertion in external walls; these can provide sound reduction comparable with domestic secondary glazing. However, ducted systems with intakes on the quiet side of the building may be required in very noisy situations, or where appearance rules out through-the-wall fans.</i></p>

	In this case given the margin that the limits will be exceeded by with windows open, then forced ventilation so as to allow rapid cooling will be required.
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Determining Issues

The main considerations of the application are;

1. Principle of development
2. Character, appearance and design
3. Neighbour amenity
4. Highways, parking and waste
5. Landscaping, open space and play areas
6. Ecology
7. Drainage and flood
8. Other matters

Considerations

1. Principle of development

- 1.1 The site is designated for residential use in both Local Planning Authority areas. Furthermore the principle of development of the site for residential use has already been accepted with the grant of outline planning permission (Central Bedfordshire reference: MB00/01971/OUT and Bedford Borough Council reference: 00/01945/OUT) and the subsequent variation of condition applications (Central Bedfordshire reference: CB/10/01905/VOC and Bedford Borough Council reference: 10/01364/M73).
- 1.2 The applications seek approval of the layout, design and appearance of the development, the principle of the development is not for consideration in this instance.

2. Character, appearance and design

- 2.1 In terms of character the surrounding area of the site is relatively isolated in terms of existing residential development. There are a limited number of dwellings located on the eastern side of the Bedford Road (B530) (opposite the application site) in the form of a terrace of 4 dwellings as well as a single detached dwelling. The remainder of the area is a vacant brownfield site with the elevated embankment of the main line railway line cutting across the northern boundary of the site. To the east of the site is the area which will be developed as part of Village 4 Wixams, although at present this is currently a vacant part of the Wixams development as the development code for this area has not been submitted by Gallagher Estates. Notwithstanding this point, the Wixams development is for up to 4500 dwellings with associated town centre, railways station, employment areas and new primary schools and a secondary school. As such although the application site the subject of this current report, is relatively isolated it, will be seen in the future as a small part of the overall Wixams development.

- 2.2 The applicant has adopted the approach of a mix of traditional style dwellings on the site with a layout which reduces the number of unnecessary routes through the estate. The layout will ensure that dwellings along the western edge of the site will front onto the Bedford Road (B530) with any vehicular access taken from the internal estate road rather than increasing the number of private access points on the Bedford Road.
- 2.3 Following concerns raised by the Police Architectural Liaison Officer the number of through routes was reduced only to those necessary for the development, as such the layout has adopted a perimeter block style which will ensure improved defensible space around the estate. The applicant has also adapted the dwelling design to ensure that on corner / junction points dwellings will 'turn' the corner through the use of appropriate fenestration to ensure that no elevation within the public area will appear as a blank elevation. This has the added bonus of improving the security around estate to ensure that there are limited areas where there is no form of natural surveillance. These measures, along with ensuring that footpaths are overlooked, front doors are visible from the public realm and clearly defining public and private space, have ensured that the development is in accordance with the community safety considerations outlined in Central Bedfordshire's Design Guidance.
- 2.4 With regards to appearance and design, the applicant has adopted a traditional style of building taking architectural inspiration from the terrace dwellings opposite as well as from the nearby existing villages of Wilstead and Houghton Conquest. As noted above the estate will provide for a mix of dwelling types and size with 2, 3, 4 and 5 bedroom 2 storey dwellings across the development.
- 2.5 The development has generally been designed in accordance with Central Bedfordshire Design Guidance; the proposal will be legible through the use of varying materials on roads and footpaths, clear delineation of public and private spaces and pedestrian paths throughout the development. The building layout also assists in legibility by ensuring that within the development, views are terminated by dwellings sited on key corners. A sense of place is encouraged through the tree lined boulevard into the development that leads to a junction that forms a nodal point in the development. The centre of the development is characterised by smaller dwellings sited closer to the road, with narrower streets with tighter corners, so as to create the centre of a village feeling within the development, with larger dwellings, more spaced out, located to the edges of the development, creating an edge of village feel.
- 2.6 Based on the above points the character, appearance and design of the development are considered acceptable.

3. Neighbouring amenity

- 3.1 In terms of standards the applicant has ensured that the dwellings are all allocated with gardens with not less than 9 metres length and back to back distances of not less than 18 metres to ensure adequate space is retained around the dwellings. It is noted that the CBC design guidance indicates that 21m distance is an 'acceptable norm', however a reduction of this distance in this instance is considered acceptable in this instance as the reduced distance only relates to two dwellings houses (Plots 31 and 11) which are set at an angle

to each other which will reduce the opportunities for overlooking.

- 3.2 The applicant has stated that in terms of density the gross development area is equal to 4.41 hectares which gives an average density of 25 dwelling per hectare and this increases to 28 dwellings per hectare if the net developable area is used at 3.86 hectares. Either figure suggests that the development as proposed is not a high density development and will allow adequate space between buildings to the benefit of the residents' amenities.
- 3.3 Along the Northern boundary of the site is the elevated embankment of the main railway line which will create a potential noise issue to residents on the development. To address this issue the applicant has essentially adopted a long terrace form of development fronting the embankment. The dwellings along this part of the development will act as a noise buffer to protect the private garden areas of these and other properties within the estate. Advice from the BBC Environmental Health Officer is that given the proximity, forced ventilation will need to be incorporated in these dwellings.

4. Highways, parking and waste

- 4.1 Access to the development has been agreed as part of the Outline permission and will be a new access junction off Bedford Road and located within Central Bedfordshire Council. For this reason the access arrangement is not for consideration under this application.

Once within the estate itself the access road winds through to the centre of the development before splitting into two, one road to serve the northern section of the development while the second serves the eastern section of the site. Tracking details have been provided to demonstrate that adequate highway space is provided to allow refuse vehicles to a length of 11.99 metres to move through the site to collect refuse and turn within the highway parameters and exit in forward gear. However further tracking information is to be provided to demonstrate that there will be no oversailing of the verges. This issue will be reported on further as a late update report.

- 4.2 In terms of parking the development allocates a mix of parking across the site including garages on plot, garages in small courtyards, surface parking both on plot and off in the form of small courtyards. Further visitor parking has been allocated within the highway in the form of parking bays to allow ad-hoc parking.
- 4.3 With regards to the ratio of parking, the development located within Bedford Borough has adopted the parking standards used in the Wixams – Village One Development Brief. This standard is 1 space for one bedroom dwellings, 1 to 2 spaces for 2 bedroom dwellings and 2 spaces for larger dwellings. Where garages are provided these meet the required minimum dimensions of 6m x 3m, but have not been counted towards overall car parking provision. In the case of two-bedroom dwellings most have two spaces, and where this has not been possible some unallocated visitor spaces have been provided close to those units with only one space.

- 4.4 In terms of parking provision within Central Bedfordshire Council's authority boundary, this has been provided at a higher rate in order to address the increased parking standards. All two bedroom dwellings have been provided with two parking spaces, three bedroom dwellings have been provided with either two or three spaces, four bedroom dwellings have been provided with no less than three spaces, and five bedroom dwellings have no less than four spaces. Garages have been included in the parking allocation, as they meet the minimum dimensions given in the Council's adopted Design Guide. A condition is recommended to ensure that garages are retained for parking purposes in perpetuity, unless separate planning permission is granted. Separate cycle parking has been provided within each private garden area to ensure storage space for cycles is not required within garages.
- 4.5 As noted above the layout has been designed to allow adequate space for a refuse vehicle to negotiate the estate roads and turn within the highway parameters to allow exit in forward gear. The comments of the Bedford Borough Council Waste Services section is noted however it is not possible under this application to change the boundary line between the two authorities. This change would be under the control of the Boundary Commission. The developer has chosen the split in the development in terms of the road and the dwellings to attempt to reduce the situation where a dwelling would be located half in one Authority and half in another. It is accepted that the collection of the refuse across the site could be split between the two Authorities unless discussions outside of the context of these reserved matters applications resolve an alternative.
- 4.6 Designated bin storage areas will be provided in each private residential garden, which will be secured by condition.

5. Landscaping, open space and play areas

- 5.1 The details submitted demonstrate that a landscape buffer runs around the whole of the outer perimeter of the development to create a linear area of open space for the residents. Details of the landscaping have been considered by the landscape officers of both Authorities and an amended scheme has been provided.
- 5.2 The development includes the provision of a Local Equipped Area of Play (LEAP) positioned within the eastern boundary of the site within an area of open space. This has been enlarged over the course of the application, with details provided on the equipment to be provided, seating, bicycle racks and fencing. All of which are now considered acceptable.
- 5.3 Boundary treatment around the edge of the development was initially proposed to be estate style railings to a height of 1.1 metres. Concern on this type of boundary treatment was expressed by the Police Architectural Liaison Officer who considered that the fencing would not deter people from climbing the fences and hence reduce the security of the site. As an alternative the Police have suggested the use of a hooped topped vertical railing to a height of 1.5 metres together with landscaping to both soften the appearance and increase the deterrent for people climbing the fence. However it was felt that this type of

fencing would not adequately reflect the rural setting of the site and as such an alternative was sought. The boundary treatment will now consist of a stockproof post and rail fence to a height of 1.2m, with a section of native planting to restrict access over. To the front boundary (with the B530) the boundary treatment will comprise a 600mm high timber trip rail, a pedestrian pathway, a section of native scrub, tree and hedge planting and a stockproof post and rail fence. This will provide an attractive frontage to the site which will be in keeping with the rural nature of the area, whilst still providing adequate security for occupiers of the site.

6. Ecology

6.1 The applicant has confirmed that a Phase 1 Habitat Survey was completed in July 2009 by Loughborough Ecologists Ltd. The surveys included a great crested newt survey which identified a medium population on site. The site was cleared of newts under Natural England Licence number: EPSM2010-1763, issued from the 1st June 2010 to 31st May 2012. Two great crested newts were relocated into an off-site receptor site 300m to the west and an additional pond was created on site in the south east corner of the site in the autumn of 2010 to support any residual great crested newts which might not have been caught during the translocation exercise. The pond has been retained as of the development, with details on the depth, gradient and planting all provided.

6.2 The Habitat Survey suggested the site to be of generally limited value to breeding birds, owing to its largely bare ground and subsequent lack of habitat diversity, and its small size. The applicant has advised that as such the conclusion of the Habitat Survey was that the site is unlikely to support a significant assemblage of breeding or over wintering birds and development of the site is unlikely to result in significant effects to breeding or overwinter bird population. Whilst a condition requiring bird nesting features could be included, given the above, it is not considered necessary in this instance.

7. Drainage and flood

7.1 The site was located within flood zone 3 and works have been done to remediate the site and prepare the area as a development platform before placing on the market as a development site for a house builder. The land owner sought to vary the condition of the Outline permission by providing the details of the flood mitigation measures and revised site level details as a stand alone condition attached to the new outline planning permission. The details of the flood mitigation measures involved lifting levels across the whole of the development area out of the flood plain of the adjacent watercourse. The levels achieved would ensure that the site lies above the 1 : 200 year probability flood event level and the dwellings will be above the 1 : 200 plus climate change flood level (as they will be set a minimum of 150mm above ground levels) and were agreed by both Local Planning Authorities.

7.2 The proposed land raising involved the importation of approximately 27,000cu.metres of fill material and a loss of floodplain storage which could potentially increase upstream and downstream flood risk. To compensate for the loss of flood plain storage a significant flood mitigation scheme was proposed upstream of the development on land in the ownership of the former landowner to the south of Stewartby Way and these works too formed part of the

application approved by the two Local Authorities. However the IDB still require further detail in relation to flood routing for surface water exceedance events, and stormwater discharge to the adjacent IDB water course, which have been dealt with via condition.

- 7.3 The IDB comments regarding access to the top of the bank are noted and in response to these points the applicant has amended the layout details to ensure a continuous clear width of 7 metres measured from the top of the embankment of the adjoining water course.

8. Other matters

- 8.1 Affordable housing has been supplied at 30% provision, which is in accordance with the agreed S106. It is noted that current Central Bedfordshire standards would require 35%, however as the existing S106 is in place, an increase to this amount can not be requested. In total, the scheme will provide 17 affordable dwellings, with the tenure split yet to be determined. The affordable housing is to be provided in three different areas throughout the scheme, ensuring tenure blindness.
- 8.2 It is noted that open space has been provided at a reduced rate, with the majority being the linear space provided around the edge of the development. In this instance, the reduced provision of open space is considered acceptable given the retention of the pond and the provision of a larger LEAP area.
- 8.3 The CBC Environmental Protection Officer has recommending conditioning mechanical ventilation for the dwelling houses sited adjacent to the railway line. However as these dwelling houses are not located within the Central Bedfordshire authority boundary, a condition has not been attached.
- 8.4 In relation to accessibility to Wixam's main settlement, only a pedestrian track is provided, however the road layout does provide the opportunity for vehicular links to be created in the future, when the layout of adjacent villages is known.
- 8.5 Public Art has not been provided within the scheme, however it is considered that the opportunity exists to do so in relation to the LEAP or pond, through decorative railings or improved surfaces. As such, a condition is included recommending details of a scheme are submitted.

Human Rights Act

Based on the information submitted there are no known issues raised in the context of the Human Rights Act and as such there would be no relevant implications.

Equality Act

Based on the information submitted there are no known issues raised in the context of the Equality Act and as such there would be no relevant implications.

Recommendation

That Reserved Matters approval be GRANTED subject to the following:

BEDFORD BOROUGH COUNCIL RECOMMENDED CONDITIONS / REASONS

01. No development shall take place until samples/specifications of the external materials to be used on each dwelling (to include walls, roof, doors, windows and external gutters and pipework) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details or particulars.

REASON: In the interests of visual amenity and in accordance with Policy BE30 of the Bedford Borough Local Plan 2002.

02. No development shall take place until details of the local flow routing for a worst case 1 in 100 year return period rainstorm event has been submitted to and agreed in writing by the Local Planning Authority. The details submitted shall demonstrate that properties will not suffer localised flood risk from ponding on carriageways, wash from vehicles or as a result of the orientation of the accesses to buildings on the flow route.

REASON: In the interest of ensuring that there is no flood risk to the buildings forming part of this development in accordance with Policy NE16 of the Bedford Borough Local Plan 2002 and Policy CP26 of the Bedford Borough Core Strategy and Rural Issues Plan 2008.

03. All planting, seeding or turfing comprised in the approved details of landscape works shall be carried out in the first planting and seeding seasons following the completion of any relevant part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. For the purpose of this condition a planting season shall mean the period from November to February inclusive.

REASON: To enhance the appearance of the proposed development and in accordance with Policies BE30, BE38 and NE4 of the Bedford Borough Local Plan 2002 and Policies CP24 and CP25 of the Bedford Borough Core Strategy and Rural Issues Plan 2008.

04. Within 6 (six) months of the date of this approval, a detailed scheme of management and maintenance for the landscape planting within the site shall be submitted to and approved in writing by the Local Planning Authority. The landscape planting shall thereafter be maintained strictly in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory standard of development and in accordance with Policy LR16 of the Bedford Borough Local Plan 2002 and Policies CP24 and CP25 of the Bedford Borough Core Strategy and Rural Issues Plan 2008.

05. No development shall take place until details of the security lighting within the private parking courtyards have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of the proposed light installations, the method of switching and the proposed method of future maintenance/management. No dwelling with a parking space within a private parking courtyard shall be occupied until the approved security lighting serving its car parking courtyard has been installed and is operational.

REASON: To ensure a high standard of development and design and in the interests of security and in accordance with Policy BE30 and BE45 of the Bedford Borough Local Plan 2002 and Policy CP21 of the Bedford Borough Core Strategy and Rural Issues Plan 2008.

06. No development shall take place until, samples/specifications of the highway surfacing materials to be used (to include carriageway, footpaths, kerbing, car parking surfaces) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details or particulars.

REASON: In the interests of visual amenity and in accordance with Policy BE30 of the Bedford Borough Local Plan 2002 and Policy CP21 of the Bedford Borough Core Strategy and Rural Issues Plan 2008.

07. No development shall take place until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been 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 roadwork's are constructed to an adequate standard.

08. No development shall take place until, full particulars indicating the location, size and appearance of any above ground structures (including meter boxes) required for the connection of any utility service have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details or particulars.

REASON: In the interests of visual amenity, to accord with the architectural character depicted within the Wixams Design Brief and Code for Village 1 and in accordance with Policies BE29 and BE30 of the Bedford Borough Local Plan 2002.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order), no garage or car port hereby permitted shall be converted to living accommodation without the specific grant of planning permission by the Local Planning Authority.

REASON: To ensure that adequate provision is made for vehicles to park clear of the highway in the interests of road safety and in accordance with Policy BE30 of the Bedford Borough Local Plan 2002, Policy CP21 of the Bedford Borough Core Strategy and Rural Issues Plan 2008 and the adopted design guidance Residential Extensions,

New Dwellings and Small Infill Developments.

10. All front elevation and side elevation windows shall be side hung or vertical sliding sash type only unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity, to promote the architectural character depicted within the Wixams Design Brief and Code for Village 1 and in accordance with Policies BE29 and BE30 of the Bedford Borough Local Plan 2002 and Policy CP21 of the Bedford Core Strategy and Rural Issues Plan 2008.

11. No development shall take place until a scheme for the mechanical ventilation of plots numbered 55 – 70 and 71 – 81 has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of each plot.

REASON: To ensure a satisfactory level of amenity for future occupants in accordance with saved Policy BE30 of the Bedford Borough Local Plan 2002.

CENTRAL BEDFORDSHIRE COUNCIL RECOMMENDED CONDITIONS / REASONS

- 01. No development shall take place until samples/specifications of the external materials to be used on each dwelling (to include walls, roof, doors, windows and external gutters and pipework) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented only in accordance with the approved details or particulars.**

REASON: In the interests of visual amenity and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Plan 2009.

- 02. No development shall take place until details of the local flow routing for a worst case 1 in 100 year return period rainstorm event has been submitted to and agreed in writing by the Local Planning Authority. The details submitted shall demonstrate that properties will not suffer localised flood risk from ponding on carriageways, wash from vehicles or as a result of the orientation of the accesses to buildings on the flow route. The development shall be built in accordance with the approved details.**

REASON: In the interest of ensuring that there is no flood risk to the buildings forming part of this development , in accordance with the National Planning Policy Framework (2012) and policy DM3 of the Core Strategy and Development Management Policies (2009).

- 03. No development should take place until details, that demonstrate that sufficient excess floodplain compensation storage has been provided to compensate for stormwater runoff from the proposed development for all design events up to and including the 1:100 year design storm plus a factor for climate change, both in terms of volume and flow rate, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be built in accordance with the approved details.**

REASON: In the interest of ensuring that there is no flood risk to the buildings forming part of this development, in accordance with the National Planning Policy Framework (2012) and policy DM3 of the Core Strategy and Development Management Policies (2009).

04. No development shall take place until, samples/specifications of the highway surfacing materials to be used (to include carriageway, footpaths, kerbing, car parking surfaces, communal waste collection points) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented only in accordance with the approved details or particulars.

REASON: In the interests of visual amenity and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

05. No development shall take place until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been 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 roadwork's are constructed to an adequate standard, in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

06. No development shall take place until, full particulars indicating the location, size and appearance of any above ground structures (including meter boxes) required for the connection of any utility service have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details or particulars.

REASON: In the interests of visual amenity, to accord with the architectural character depicted within the Wixams Design Brief and Code for Village 1 and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

07. No development shall take place until details of the security lighting within the private parking courtyards have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of the proposed light installations, the method of switching and the proposed method of future maintenance/management. No dwelling with a parking space within a private parking courtyard shall be occupied until the approved security lighting serving its car parking courtyard has been installed and is operational.

REASON: To ensure a high standard of development and design and in the interests of security and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

08. No development shall take commence until details of the street signage, lighting, street furniture, litter bins and dog fouling bins have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of location and design. The development shall thereafter be implemented in accordance with the approved details or particulars.

REASON: In the interests of visual amenity, to accord with the architectural character depicted within the Wixams Design Brief and Code for Village 1 and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

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

REASON: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period, in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

10. No development shall commence until a scheme detailing access provision to and from the site for construction traffic and 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, in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009.

11. No development shall commenced until a scheme for the provision of public art in the LEAP/pond area of the site 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 bought into use and thereafter retained for this purpose.

REASON: To ensure adequate provision of public art within the scheme, in accordance with policies CS2 and DM3 of the Core Strategy and Development Management Policies (2009).

12. No development shall commenced until a scheme detailing the bin storage areas within each private residential garden has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented on each plot before the occupation of that plot, and thereafter retained for this purpose.

REASON: To ensure adequate provision of bin storage areas and to protect the visual amenity of the area, in accordance with policy DM3 of the Core Strategy and Development Management Policies (2009).

13. All planting, seeding or turfing comprised in the approved details of landscape works shall be carried out in the first planting and seeding seasons following the completion of any relevant part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. For the purpose of this condition a planting season shall mean the period from November to February inclusive.

REASON: To enhance the appearance of the proposed development and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

14. Within 6 (six) months of the date of this approval, a detailed scheme of management and maintenance for the landscape planting within the site shall be submitted to and approved in writing by the Local Planning Authority. The landscape planting shall thereafter be maintained strictly in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory standard of development and in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies 2009.

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

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

16. The proposed development shall be carried out and completed in all respects in accordance with the highway configuration illustrated on the approved plan and defined by this permission and, notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order), there shall be no variation without the prior approval of the Local Planning Authority.

REASON: To ensure that the development of the site is completed insofar as its various parts are interrelated and dependant upon on another and to provide adequate and appropriate access arrangements at all times.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting that Order), no garage or car port hereby permitted shall be used for any purpose, other than as garage accommodation, without the specific grant of planning permission by the Local Planning Authority.

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, in accordance with policy DM3 of the Core Strategy and Development Management Policies 2009 and the adopted design guidance Development In Central Bedfordshire: A Guide for Development 2010.

18. All front elevation and side elevation windows shall be side hung or vertical sliding sash type only unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity, to promote the architectural character depicted within the Wixams Design Brief and Code for Village 1 and in accordance with Policies BE29 and BE30 of the Bedford Borough Local Plan 2002 and Policy CP21 of the Bedford Core Strategy and Rural Issues Plan 2008.

INFORMATIVES

1. **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.**
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 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.
3. 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 developers 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.
4. 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'.

5. **Fail Safe Use of Crane and Plant** – All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail’s property, must at all times be carried out in a ‘fail safe’ manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthwork – All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be design and executed such tht no interference with the integrity of that property/structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to the commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker’s boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where the development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure not for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Bridge Strikes – Applications that are likely to generate an increase in trips under the railway bridged may be of concern to Network Rail where there is potential for an increase in ‘bridge strikes’. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. Developers may be asked to pay for bridge protection barriers.

Abnormal Loads – From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g bridges). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Noise/Soundproofing – The developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Access to Railway – All roads, paths or ways providing access to any part of the railway undertaker’s land shall be kept open at all times during and after the development. Network Rail is required to recover all reasonable costs associated with facilitating these works.

6. It is noted that no consent has been issued from the Bedford and River Ivel Internal Drainage Board for the raising of ground levels within the floodplain, within the Board's statutory district or the modification of a channel upstream that is designated an award drain to create a lateral spillway necessary for the operation of the upstream storage. As such these modifications under the auspices of a previous planning application (that are alleged to have taken place) are in contravention of the Land Drainage Act and further as records indicate that the upstream watercourse is an award drain may require the consent of DEFRA. Further, it is noted from previous correspondence that the Board made clear that its agreement to the proposed scheme would be dependent on the creation of a legal agreement to ensure proper maintenance of the upstream storage facility in perpetuity; no such agreement is currently in place.

7. Please note that no development shall take place within 7m of the existing drain, without the prior consent of the Bedford and River Ivel Internal Drainage Board.