

Item No. 1

APPLICATION NUMBER	CB/11/02827/OUT
LOCATION	Clipstone Park, Land South of Vandyke Road & North of Stanbridge Road, Leighton Linlade
PROPOSAL	Outline: Mixed use urban extension including 1210 dwellings, 70 units of Assisted Living for the Elderly, Class B1, B2, B8 Employment, Renewable Energy Plant and Recycling Facility, a Neighbourhood Centre comprising Retail Uses (Class A1-A3), a Public House (Class A4), a Multi Purpose Hall (Class D1), a GP Surgery (Class D1), Offices (Class B1), a Childrens Nursery (Class D1) and Associated Car Parking, Community Hall (Class D1), Retail Units (Class A1-A3), an Elderly Person Care Home of up to 70 Beds (Class C2), a New Eastern Link Road between Vandyke Road and Stanbridge Road together with associated residential and employment access roads with associated car parking, the laying out of an area to the north and south of Clipstone Brook as a Park forming part of an Area of Green Infrastructure, the laying out of structural landscaping and green corridors for recreational use, the laying of 7.45 hectares of land as formal pitch provision together with the erection of appropriate changing facilities, the construction of footways and cycleways, the construction of structures to accommodate Sustainable Urban Drainage Systems, the laying out of 0.75 hectares as Allotments, the construction of 2 neighbourhood equipped areas for play and four locally equipped areas of play, a Lower School and Middle School including a Multi Use Games Area, Land for expansion of Vandyke Upper School including a Multi Use Games Area.
PARISH	Eggington, Leighton Linlade and Stanbridge
WARD	Heath & Reach, Leighton Buzzard North & Leighton Buzzard South
WARD COUNCILLORS	Cllrs Versallion, Johnstone, Shadbolt, Spurr, Berry, Bowater and Mrs Dodwell
CASE OFFICER	Vicki Davies
DATE REGISTERED	28 July 2011
EXPIRY DATE	17 November 2011
APPLICANT	Willis Dawson Holdings Ltd
AGENT	Pegasus Planning Group Ltd
REASON FOR COMMITTEE TO DETERMINE	Departure, Major application recommended for approval and with objections from Eggington Parish Council, Heath and Reach Parish Council and Hockliffe Parish Council
RECOMMENDED DECISION	Outline Application - Approval

Executive Summary

- (i) The application seeks planning permission for the provision of up to 1210 dwellings, employment floorspace, and supporting retail, leisure and community facilities, as part of an extension to the east of Leighton Linlade. It was determined that the development should be subject to an Environmental Impact Assessment**
- (ii) The representations from the statutory and non-statutory consultees received reflect the complexity of a planning proposal on this scale. There are a number of technical issues raised that the consultees expect to be dealt with by alterations to the proposals, use of planning conditions and the controlled implementation of the development at the detailed planning submission stages. The number of representations from local residents have been commensurate with the scale of the development, with concerns raised about traffic, loss of Green Belt, impact during the construction period, inadequate levels of employment, flooding, fears for the quality of the development and the need for the development in principle.**
- (iii) In assessing the proposals, it is considered that limited weight should be given to many of the current adopted Development Plan policies, due to its age, however some policies are compliant with the National Planning Policy Framework and the emerging Development Strategy for Central Bedfordshire and can therefore be afforded more weight. There will be harm to the Green Belt caused by the development but there are very special circumstances that can be taken into account. However, the Committee will also wish to take note of the lengthy history of examining the appropriateness of promoting development in the Green Belt in this specific location and that this should be an important material consideration that it should include in its decision making. The site's current Green Belt designation requires the application to be referred to the Secretary of State for his consideration before a planning permission can be issued.**
- (iv) An Environmental Statement has been produced of a substantial nature which identifies a number of environmental impacts that will require mitigation both during the construction period and after the development has been completed. None of the impacts are sufficiently substantial either by themselves or cumulatively to the extent that they cannot be mitigated in a satisfactory way. The mitigation package includes; controls over development during construction, provision of necessary infrastructure, the production of strategies for environmental protection and the provision of community facilities.**
- (v) There are a number of issues arising from the proposals that are key to a commercially viable development as proposed but are also of significant concern to the statutory consultees or Council advisors. These issues are:**

 - The amount of affordable housing that can be afforded by the development.**

- The impact of the development on the local highway network.
- The potential for impact on recreational and protected sites accessible to the public near the site.
- The car parking standard used in the construction of the design principles proposed by the applicant which differ from the current Council standard.

Each of these issues is considered in detail and the Committee is presented with a detailed analysis of each item to assist its decision. It is not considered that the conclusion of the analysis of any of these issues requires planning permission to be refused taking into account the National Planning Policy Framework (NPPF).

- (vi) There are a number of key benefits that can be attributed to the scheme and that are material considerations that the Committee should take into account. In particular, the provision of the largest section of the eastern link road, a locally important infrastructure project designed to relieve traffic congestion in Leighton Linlade Town Centre. The application will also deliver a substantial proportion of the housing proposed by the Development Strategy and for which there is underlying evidence of considerable need.
- (vii) The NPPF requires the Council to consider carefully the commercial viability of proposals as part of their decision making. It is clear from the substantial Viability Appraisal work undertaken by the applicant and checked by the Council's specialist consultants that the scheme is not sufficiently financially viable in current economic conditions to afford the full requirements for affordable housing and mitigation requirements this Council would normally expect as part of a major new development.

However, the applicants propose that as the economy improves and the development can afford to pay for more contributions, a review/uplift mechanism enabling the community to ultimately require and receive the full package sought be included in the Section 106 Planning Agreement. It is considered this represents an appropriate and fair approach, and is the commonly adopted approach to similar types of developments in the current climate.

- (viii) The recommendation therefore is that this Council be minded to approve the planning application subject to the completion of a satisfactory Section 106 Agreement and that the application be referred to the Secretary of State. The Section 106 Agreement, and subsequent s106 agreements in connection with the other planning applications, will need to ensure that the whole of the urban extension comes forward in a comprehensive manner despite it being presented in a number of different planning applications.

Recommendation

That, subject to the referral of the application to the Secretary of State, in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the completion of a prior Section 106 Agreement that the Head of Development Management be authorised to grant Planning Permission if the Secretary of State does not call in the application and in doing so, to make such amendments to the schedules to the permission as he considers necessary, subject to the following:

RECOMMENDED CONDITIONS

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

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

- 2 Application for approval of the reserved matters for each area or sub-area, as identified in condition 3, shall be made to the local planning authority before the expiration of 10 years from the date of this permission. The development shall begin no later than 5 years from the approval of the final reserved matters.

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

- 3 Prior to the submission of the first reserved matters, an areas plan for the entire application site shall be submitted to and approved in writing by the Local Planning Authority. The areas plan shall show a minimum of 5 character areas as set out in the Design and Access Statement dated July 2011 and shall define the location and extent of the employment area and each residential area and the number of dwellings in each area; and also define the timing of provision of the movement network, vehicular access point(s) open space and play areas and surface water attenuation areas for each area. The development shall be carried out in accordance with the approved areas plan.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 4 No more than 1210 dwellings on 37.72 ha of land, 70 units of assisted living for the elderly, up to 30,650m² of Class B1, up to 7,000m² of Class B2 & up to 7,000m² of B8 employment floorspace on 11.43 ha of land, neighbourhood centre comprising retail uses (Class A1 - A3(of the Town and Country Planning (Use Classes) Order 1987 (as amended))) of no more than 2,500sqm, public house (Class A4) of up to 650m², multi-purpose hall (Class D1) of up to 760m², offices (Class B1) at ground and first floor levels of up to 750m², childrens nursery (Class D1) up to 300m², GP surgery (Class D1) for up to 4 GPs

(600m²) and associated car parking, elderly persons care home of no more than 70 beds (Class C2), local centre comprising a community hall (Class D1) of up to 295m² and retail units (Class A1 - A3) of up to 250m², a new Eastern Link Road between Vandyke Road and Stanbridge Road together with associated residential and employment access roads with associated car parking, layout out of an area to the north and south of Clipstone Brook as a country park, laying out of structural landscaping and green corridors for recreational use, laying out of 7.45ha of land as formal pitch provision together with the erection of appropriate changing facilities, construction of footways and cycleways, construction of structures to accommodate Sustainable Urban Drainage Systems, laying out of 0.75ha as allotments, construction of 2 Neighbourhood Equipped Areas for Play and 4 Locally Equipped Areas for Play, a Lower School and Middle School on 5.95ha of land including a Multi use Games Area and expansion of Vandyke Upper School on 3.21ha of land including a Multi Use Games Area shall be constructed on the site pursuant to this planning permission in accordance with parameter plans entitled Parameters Assessment - Land Use, W.0225_77-1E, Parameters Assessment - Access, W.0225_81-1C, Parameters Assessment - Building Heights, W.0225_79-2E & Parameters Assessment - Landscape, W.0225_80-1E.

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 5 **No development shall commence until an overarching Landscape and Open Space Strategy has been submitted to and approved in writing by the local planning authority. The Landscape and Open Space Strategy shall set out the in principle requirements for treatment of the areas of landscaping and open space and their relationship with Sustainable Urban Drainage Systems (SUDS) shall be in accordance with the principles set out within the Parameters Assessment - Landscape contained within the submitted Design and Access Statement and the areas plan approved by condition 4 and shall include:**

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

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

Reason: To ensure a satisfactory appearance of the development in accordance with policy BE8 of the South Bedfordshire Local Plan and policies 43 and 56 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

6 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 19 May 2011, reference 2725/FRA revision 2, compiled by WSP and the following mitigation measures detailed within the FRA:

1. Provision of compensatory flood storage on the site to a 100-year fluvial flood standard at the point where the proposed road crosses Clipstone Brook in relation to the bridge and ramps to it;
2. Demonstration that all built development shall remain outside the agreed flood contour line of the 1% AEP (100-year) fluvial flood, plus a 20% allowance for climate change;
3. Demonstration that any land levels within the agreed 1% AEP plus climate change flood plain shall remain as existing, and no land within this area shall be raised;
4. Finished floor levels are set no lower than 300mm above the appropriate agreed 1% AEP (100-year) fluvial flood level (plus climate change), as defined by levels within Table 7-1 in the FRA, and as recommended in section 5.1.10 in the FRA;

Reason:

1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
2. To reduce the risk of fluvial flooding to built development.
3. To reduce the risk of fluvial flooding by ensuring that no land is raised within the flood plain.
4. To reduce the risk of flooding to the proposed development and future occupants.

In accordance with policy 49 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

7 No reserved matters pursuant to an area or sub-area shall be submitted until an Area Design Code ('ADC'), has been submitted to and approved in writing by the Local Planning Authority in relation to that area or sub-area. The ADC should follow the format set out in appendix 2 of the Design and Access Statement (July 2011).

Reason: To ensure that the Area Design Codes are of a localised nature and is produced to assist in setting out the details of the development in a planned manner and to ensure that the details and appearance of the development are acceptable to the Local Planning Authority and in accordance with Policy BE8 of the South Bedfordshire Local Plan (2004), Policy 43 of the emerging Development Strategy Central Bedfordshire for Pre-Submission and Paragraph 59 of the National Planning Policy Framework (2012).

8 Development shall not commence in any area, as defined by the areas plan required by condition 3, 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 scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- a. Details of investigatory ground investigation testing with a view to demonstrating the viability of infiltration drainage for some or all of the site;
- b. Full details of proposed surface water runoff in all catchments (as identified in the agreed Flood Risk Assessment) demonstrating compliance with the agreed discharge rates for each catchment contained within Table 6-2 of the Flood Risk Assessment dated 19 May 2011, reference 2725/FRA revision 2, compiled by WSP;
- c. Full details of all components of the proposed drainage system including source control, conveyance, storage, flow control and discharge. Details shall include dimensions, locations, reference to storm simulation files, gradients, invert and cover levels, and drawings as appropriate. This shall be completed for all catchments identified;
- d. Full details of overland flood low routes (as well as likely depths and velocities) in the event of system failure or exceedance. Demonstration shall be given that flood risk in these circumstances shall not increase to either the site or to sites downstream of, or adjacent to, this site;
- e. Evidence of agreement of the Internal Drainage Board to the proposals;
- f. Full details of the maintenance and/or adoption proposals for the development, covering every aspect of the proposed drainage system;

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the system, in accordance with policies 44 and 49 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

9 No development shall commence in any area, as defined by the areas plan required by condition 4, of the development (including any works of demolition) until a Construction Environmental Management Plan ('CEMP') has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with the Framework Construction Environment Management Plan submitted as part of this planning application and shall include details of:

- a) Environment Management Responsibilities;
- b) Construction Activities and Timing;
- c) Plant and Equipment, including loading and unloading;
- d) Points of access/egress to be used by construction vehicles;
- e) Details of site compounds, offices and areas to be used for the storage of materials;
- f) Utilities and Services;
- g) Emergency planning & Incidents;
- h) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;
- i) On site control procedures:
 - i. Traffic mitigation measures including traffic management and parking
 - ii. Temporary haulage routes
 - iii. Air and Dust quality

- iv. Noise and vibration
 - v. Waste and Resource Management
 - vi. Agricultural Soils and Materials
 - vii. Temporary surface water drainage during construction
 - viii. Protection of Controlled Waters
 - ix. Trees, Hedgerows and Scrub
 - x. Ecology
 - xi. Archaeological and Cultural Heritage
 - xii. Visual and Lighting
 - xiii. Utilities and Services
 - xiv. Protection of water resources
 - xv. Protection of species and habitats
- j) Detailed phasing plan to show any different phasing, different developers and/or constructors to be updated on an annual basis;
- k) Details for the monitoring and review of the construction process including traffic mitigation (to include a review process of the Construction Environmental Management Plan during development).

Any development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with Policy 44 of the emerging Development Strategy Central Bedfordshire for Pre-Submission.

- 10 **A means of access to the site shall be from Vandyke Road as shown in principle on submitted Drawing No. 2725/SK/023 rev B. No development shall commence in the area, as defined by the areas plan required by condition 3, to which this access relates until construction details of the junction have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 11 **A means of access to the site shall be from Stanbridge Road as shown in principle on submitted Drawing No. 2725/SK/026 rev B. No development shall commence in the area, as defined by the areas plan required by condition 3, until construction details of the junction have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .**

Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 12 **Two means of access to the site shall be from Hockliffe Road, a primary and secondary as as shown in principle on submitted Drawing Nos.**

2725/SK/024 rev D and 2725/SK/025 rev B. No development shall commence in the area, as defined by the areas plan required by condition 3, until construction details of the junctions have been submitted to and approved in writing by the Local Planning Authority or as otherwise agreed in accordance with a timetable to be agreed in writing with the Local Planning Authority .

Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 13 **No development shall take place in an area of the development approved as per condition 3 of this permission until details of the plans and sections of the proposed estate roads in that area, including gradients and method of surface water disposal have been submitted to and approved in writing by the Local Planning Authority and no building within that area shall be occupied until the section of road which provides access thereto has been constructed (apart from final surfacing) in accordance with the approved details.**

Reason: To ensure that the proposed road works are constructed to adequate standard in accordance with policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

- 14 **Prior to the commencement of development in any area, as defined by the areas plan required by condition 3, approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:**

- 1) A preliminary risk assessment which has identified:
 1. all previous uses
 2. potential contaminants associated with those uses
 3. a conceptual model of the site indicating sources, pathways and receptors
 4. potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policy P9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013

- 15 Prior to commencement of development, in any area, as defined by the areas plan required by condition 3, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013. Should the recommended investigation identify any soil or groundwater contamination onsite, a validation report demonstrating satisfactory remediation of the site is required prior to commencement of the proposed development.

- 16 **No development shall take place in any area, as defined by the areas plan required by condition 3, until a written scheme of archaeological investigation and recording has been submitted to and approved in writing by the Local Planning Authority. The said development shall only be implemented in full accordance with the approved archaeological recording scheme.**

Reason: To record and advance understanding of the archaeological and historic and resource before they are lost, which will be unavoidably impacted upon as a consequence of the development in accordance with policy 46 of the Development Strategy for Central Bedfordshire Pre-Submission Version 2013.

- 17 **Prior to commencement of any development on any area, as defined by the areas plan required by condition 3, no tree or hedgerow shall be lopped, topped or felled and an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved statement and plan.**

Reason: To safeguard existing trees on site in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 59 of the

Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

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

Reason: To ensure a satisfactory appearance for the development and to safeguard the amenity of future occupiers in accordance with Policy BE8 of the South Bedfordshire Local Plan and policy 43 of the Development Strategy for Central Bedfordshire (Pre-Submission Version January 2013).

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

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

- 20 **If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.**

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policy P9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013. The nature of soil and groundwater contamination is such that even where comprehensive site investigation is undertaken, some unsuspected contamination may exist between sample locations. This condition allows a reactive mechanism for the control of the way in which such contamination is treated, should it be discovered.

- 21 **No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.**

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policies P9-6 and P4-1 to P4-12 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and policy 44 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013. The infiltration of surface water through land affected by contamination can result in the pollution of coastal waters, inland fresh waters and groundwaters. We encourage the use of sustainable drainage systems, however they must be carefully considered and controlled.

- 22 To protect against intrusive externally generated noise, sound insulation and absorbent materials shall be applied to all dwellings as is necessary to achieve as a minimum standard an internal noise level of 30dB_LA_{eq}, 23:00-07:00 and 45dB_LA_{max}, 23:00-07:00 for bedrooms and 35dB_LA_{eq}, 07:00-23:00 for habitable rooms. External noise levels from road traffic noise sources shall not exceed 55dB_LA_{eq}, 1hr in outdoor amenity areas. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the local Planning Authority in writing before any permitted dwelling is occupied, unless an alternative period is approved in writing by the authority.

Reason: In the interests of residential amenity, in accordance with policy BE8 South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 23 Within the neighbourhood and local centres any fixed plant associated with the proposed development must be designed to a level which is at least 5dB(A) below the existing L_{A90} background noise level as measured during the relevant time period. Any tonal, impulsive and/or irregular noise would be addressed by imposing a further 5dB penalty as per the methodology set out in BS 4142:1997. Noise limits for new plant are to apply at a position 1 metre from the closest affected window of the relevant noise sensitive property.

Reason: In the interests of residential amenity, in accordance with policy BE8 South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

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

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with policy BE8 of South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version January 2013.

- 25 The details required by condition 1 of this permission in relation to each area approved as per condition 4 shall include a scheme for parking, and garaging

for the residential units in that area. In relation to the employment area shall include a scheme for parking manoeuvring loading and unloading of vehicles in respect of each building. The parts of each approved scheme pursuant to condition 1 related to each residential unit or building in the employment area shall be made available for use before the residential unit or building is occupied and those areas shall not thereafter be used for any other purpose.

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

- 26 No part of the development hereby approved shall be brought into use until the Umbrella Travel Plan prepared by WSP dated October 2011 has been approved in writing by the Local Planning Authority. The Travel Plan shall include the following:

The identification of targets for trip reduction and modal shift;
The methods to be employed to meet these targets;
The mechanisms for monitoring and review;
The mechanisms for reporting;
The penalties to be applied in the event that targets are not met;
The mechanisms for mitigation including budgetary provision;
Implementation of the travel plan (until full occupation) to be agreed timescale or timescale and its operation thereafter;
Mechanisms to secure variations to the travel plan following monitoring and reviews;
Mechanisms for managing the travel plan and coordinating with other travel plans in the East Leighton Linslade development area.

The completed development shall be occupied in accordance with the approved travel plan which shall be retained in place thereafter unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority in conjunction with the Highways Agency.

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car, in accordance with policy 26 of Development Strategy for Central Bedfordshire Pre-Submission Version 2013.

- 27 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers W.0225_22-1D, 2725/SK/023B, 2725/SK/024D, 2725/SK/025B, 2725/SK/026B, W.0225_77-1E, W.0225_81-1C, W.0225_79-2E & W.0225_80-1E.

Reason: For the avoidance of doubt.

Notes to Applicant

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

2. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).

3. **Flood Defence Consent**

Whilst it is noted that the FRA asserts that ditches and watercourses on site are to remain intact, the following proposed works will require an application for Flood Defence Consent from the Environment Agency:

- Works within 9.0 metres of the top of bank of any Main River (under local Byelaws);
- Works in, on, under or over the channel of a Main River (under Section 109 of the Water Resources Act 1991);
- Works within an ordinary watercourse that may restrict or impede flow (under Section 23 of the Land Drainage Act 1991).

4. **Model procedures and good practice.** We recommend that developers should:

1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.

2) Refer to our Guiding Principles for Land Contamination for the type of information required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.

3) Refer to our website at www.environment-agency.gov.uk for more information.

5. **Sustainable Drainage Systems.**

In accordance with our Groundwater Protection: Policy and Practice (GP3) document, we offer the following advice on Sustainable Drainage Systems (SUDS):

Soakaways must be constructed in line with guidance provided in Building Research Establishment 365 (BRE365) – Soakaway Design.

SUDS must be constructed in line with guidance provided in Construction Industry Research and Information Association C697 (CIRIA C697) - The SUDS Manual.

Direct discharges into groundwater of surface water run-off are not acceptable.

All infiltration structures (permeable pavements, infiltration trenches, soakaways, etc.) should be constructed to as shallow a depth as possible to simulate natural infiltration. The maximum acceptable depth for infiltration structures is two metres below existing ground level with the base of these infiltration structures at least 1.2 metres above the highest seasonal groundwater-table. We do not consider deep bore and other deep soakaway

systems to be appropriate in areas where groundwater constitutes a significant resource (i.e. where aquifer yield may support or already supports abstraction). Infiltration structures must not be constructed in contaminated ground. Only clean, uncontaminated water should be discharged to any infiltration structure. Infiltration structures should only be used in areas on site where they would not present a risk to groundwater. If permitted, their location must be approved in writing by the Local Planning Authority (LPA).

Prior to being discharged into any surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings susceptible to oil contamination should be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof water should not pass through the interceptor and should discharge to separate infiltration systems to those used for road and vehicle parking areas.

Any SUDS from car or lorry parking areas would need to incorporate suitable measures for the protection of water quality, this is likely to include measures to mitigate the discharge of hydrocarbons to surface water or ground. Details of treatment techniques are outlined in CIRIA Report C609. We would wish to be consulted on any protection measures.

Any oil interceptors should include separate provision for the interception and removal of sediment (as collection of solids within the interceptor will reduce the capacity and function of the interceptor). Any oil interceptors/sediment chambers should be regularly maintained in accordance with manufacturers guidelines

6. **Waste**

The Waste Management Statement for this development is detailed and comprehensive with a good regard to waste management from the construction to the future use of the development. The document describes a Detailed Waste Management Strategy that is in line with the Site Waste Management Plan Regulations that is required to be maintained during construction. It is important that only licensed waste carriers and permitted waste facilities are used by contractors for the disposal of any waste arising. The design of housing and businesses will be such to minimise construction waste and to provide good storage areas for waste containers. The use of recycled materials that meets required standards should be encouraged. In maintaining the principles of the waste hierarchy, the development will ensure good environmental waste practises are followed. The document recognises the importance of national and local waste management strategies and should ensure that the development delivers its good waste management plans.

7. **Water Resources**

Generally the info on water supply in the ES is a little thin. The document states that Anglian Water have confirmed that there is sufficient water supply resource capacity to serve the proposed development. Overall the significance of the water supply has been classed as negligible in table 12.5 (summary of assessment). While we are not disputing that AWS can supply the development

we are disappointed to see that no water efficiency measures have been mentioned. There seems to be no litre per head per day targets for the residential development, and we can see no reference to the relevant Water Cycle Strategy, the Code for Sustainable Homes or to the Water Framework Directive. Ideally we would like to have seen more detail on how the water supply demand that results from this development will be mitigated. We have included a set of standard water resources comments below, The interaction of development planning and water resource management is a key issue for this region, and there are three key elements to consider. (These feature in Section 7.8 of the Regional Water Resources Strategy published in 2001). Our comments are made under these key aspects.

DEVELOPMENT SHOULD NOT BE COMMITTED AHEAD OF SECURE WATER SUPPLIES

The development lies within the area traditionally supplied by Anglian Water Services Ltd. It is assumed that water will be supplied using existing sources and under existing abstraction licence permissions. The planners should seek advice from the water company to find out whether this is the case, or whether a new source needs to be developed or a new abstraction licence is sought. We may not be able to recommend a new or increased abstraction licence where water resources are fully committed to existing abstraction and the environment.

THE LOCATION OF DEVELOPMENT SHOULD TAKE INTO CONSIDERATION THE RELATIVE AVAILABILITY OF EXISTING DEVELOPED WATER RESOURCES

The timing and cost of infrastructure improvements will be a consideration. This issue should be discussed with the water company.

EVERY OPPORTUNITY SHOULD BE TAKEN TO BUILD WATER EFFICIENCY INTO NEW DEVELOPMENTS, AND INNOVATIVE APPROACHES SHOULD BE ENCOURAGED.

We support all initiatives aimed at reducing water use. The extent of water efficiency measures adopted will affect the demand for water for the development and I would expect that this will be taken into consideration. It is assumed that new houses will be constructed with water meters fitted. Other water saving measures that we wish to see incorporated include low flush toilets, low flow showerheads, water butts for gardens etc. The Environment Agency also supports the idea of greywater recycling as it has the potential to reduce water consumption in the average household by up to 35%. This must, however, be achieved in a safe and hygienic manner. Information and advice can be obtained from Anglian Water Services Ltd. and our Demands Management Centre on 01903 832073 or email to paula.wood@environment-agency.gov.uk.

8. Anglian Water Advice

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol/oil interceptors be fitted in all car

parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

9. The applicants attention is drawn to their responsibility under The Equality Act 2010 and with particular regard to access arrangements for the disabled.

The Equality Act 2010 requires that service providers must think ahead and make reasonable adjustments to address barriers that impede disabled people.

These requirements are as follows:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled people at a substantial disadvantage to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid puts disabled people at a substantial disadvantage to provide that auxiliary aid.

In doing this, it is a good idea to consider the range of disabilities that your actual or potential service users might have. You should not wait until a disabled person experiences difficulties using a service, as this may make it too late to make the necessary adjustment.

For further information on disability access contact:

The Centre for Accessible Environments (www.cae.org.uk)
Central Bedfordshire Access Group (www.centralbedsaccessgroup.co.uk)

[Notes:

1. In advance of the consideration of the application the Committee were advised of additional consultation / publicity responses, full details were contained within the two Late Sheets appended to these Minutes:
 - a. Campaign for Rural England representations were attached in full
 - b. The Fraser Family, Model Farm, Leighton Buzzard
 - c. Chilworth International Corporation
 - d. 18 Mercury Way, Leighton Buzzard provided a written statement as they were unable to attend and speak at the meeting
 - e. Condition 9 has been amended as it was considered more appropriate for the traffic routing of construction traffic would be included in the S106 agreement rather than within the condition.
 - f. The East of Leighton Linslade Framework Plan was available on the Council's website and was emailed to Members and a copy was available at the meeting.

- g. 3 Cetus Crescent stating their objections to the development
 - h. 2 Plummer Haven providing their concerns for the impact of the development
 - i. 12 Chestnut Rise provided further objections
 - j. 9 Chamberlains Gardens – via Andrew Selous MP objecting to the development being on greenbelt land.
 - k. Letters from DTZ on behalf of Alison Chiltern-Hunt and Hogan Lovells setting out concerns regarding the planning application.
2. In advance of the consideration of the application the Committee received representations made under the Public Participation Scheme.]