Item No. 7

APPLICATION NUMBER	**CB/14/01726/OUT**
LOCATION	**Land at Campton Road and rear of Robert Bloomfield Academy Shefford, SG17 5BJ**
PROPOSAL	**Outline Application: (with all matters reserved except for means of site access from Campton Road) for the erection of up to 140 dwellings; provision of new internal access roads and footpaths; public open space and landscaping, earthworks, surface water attenuation, associated infrastructure, playing fields and youth facility. The development involves the demolition of existing structures.**
PARISH	**Shefford**
WARD	**Shefford**
WARD COUNCILLORS	**Cllrs Birt & Brown**
CASE OFFICER	**Lauren Westley**
DATE REGISTERED	**20 May 2014**
EXPIRY DATE	**19 August 2014**
APPLICANT	**Catesby Estate Ltd**
AGENT	**Barton Willmore**
REASON FOR COMMITTEE TO DETERMINE	**Called to Committee by Cllr Brown for the following reasons: - Contrary to policy (outside settlement envelope and not an allocated site); - Design (does not comply with new design guide) - Other (no provision for jobs - unsustainable)**
RECOMMENDED DECISION	**Outline Application - Refusal recommended**

Reason for Recommendation

The proposed development is contrary to the adopted Development Plan, and the material considerations do not outweigh the identified harm.

The Council has objectively assessed housing need and has identified an adequate 5 year housing supply.

The proposed development will result in a material, identifiable harm to the character and appearance of the land, contrary to the NPPF, and policies CS16, DM3, DM4, DM14 and DM17 of the Core Strategy and Development Management Policies (2009).

The proposed development is not sustainable, the existing schools within the town and nearby villages cannot cater for the additional increase in the number of students, contrary to paragraph 72 of the NPPF and policy CS3 of the Core Strategy and Development Management Policies (2009).

The applicant has offered a number of planning contributions to support their proposal however the application is not supported by a S106 agreement.

1.0 SITE LOCATION

The site comprises two plots of land located to the south west of Shefford, the larger of the two parcels of land, for ease now referred to as 'Area A', is located outside the Settlement Envelope. The smaller of the two 'Area B', is located within the Settlement Envelope. The main development site is Area A. Both Areas can be described as adjacent to the settlement of Shefford.

Area A is triangular in shape and is accessed via Campton Road which runs along the eastern boundary. The Shefford Settlement envelope runs along the western boundary of the site. To the east of the site are a small number of residential dwellings located on Campton Road, to the north are th dwellings on Ampthill Road, and the Shefford Lower School and Robert Bloomfield Academy beyond, including their existing playing fields are located to the west. To the south and east of the site is the open countryside. The Campton and Shefford Cemetery is located to the east, and the A507 by-pass is to the south.

Area B is located to the East of the first parcel, separated by the playing fields of the schools. This parcel of land adjoins the playing fields of Robert Bloomfield Academy to the west and is bounded by the River Hit to the east. The site has no vehicular access but access through the site is possible via a public right of way from Swallow Close, to the north.

Area A is an open, green space used for agricultural purposes. There are a small number of agricultural buildings located towards the Campton Road frontage. The site is within the open countryside and has a rural, agricultural character. The site is relatively exposed allowing open views to various parts of the site and adjoining uses forming an important visual edge to Shefford. The site has a distinctive saddle ridge that runs across the site from the south to the north, falling away to the east and Campton Road and to the west and the River Hit corridor.

Area B is also an open green space, currently forming part of the River Hit corridor and as such is an undeveloped site with an existing footpath through the site.

2.0 THE APPLICATION

This application seeks Outline Planning Permission, with all matters reserved except access, for the development of the site for residential purposes. The proposal seeks consent for the erection of up to 140 dwellings, with the provision of new internal access roads and footpaths, public open space and landscaping, earthworks, surface water attenuation, associated infrastructure, playing fields and youth facility.

The development also includes the demolition of the existing structures on the site. During the course of the application, amendments to the Illustrative MasterPlan and associated details have been made to address concerns and objections raised by the Council, neighbouring objections, and Town Council objections.

The revised Illustrative MasterPlan (AR/001D) now indicates an area for a 'potential youth facility'. Whilst no details have been provided the applicants have indicated that the area for the youth facility is based on a 929m² skate park or multi-use games area, incorporated into the green spaces shown on the revised Illustrative Masterplan. The youth facility is to be located in the south east corner of Area A. The cost of the facility would be provided by the developer.

The submitted Playing Pitch Concept (AR/011) shows the revised proposal in relation to Area B. The western half of the site will be used for sport pitches, with the eastern side left as a wildlife habitat area adjacent to the River Hit. The wildlife habitat area will include the provision of;

- A new wildflower area;
- A new grassland with native tree planting;
- Swales to collect run off from the sports pitches and control run off to the River Hit;
- A new footpath and retention of the existing footpath through the site.
- The pitch will be secured by a fence;
- No additional flood lighting is proposed.

The applicant is proposing to provide the following contributions;

- 35% affordable housing within the scheme;
- The full S106 contributions in accordance with the Council's Planning Obligations SPD;
- Fund the cost of the youth facility on the site;
- Prepare Area B for playing pitches and transfer the pitches to Robert Bloomfield Academy after the pitches are complete, with a five year maintenance contribution;
- Provide an additional contribution of £17,975 towards the upgrading of Shefford FP1 (Right of Way) and the creation of a new link between Churchill Way Public Space and Heron Close, including a small bridge, provision of four oak benches, two oak picnic tables, new interpretation boards and signage to promote the site to residents.
- Provide an additional £10,000 per dwelling contribution to be used by the Council on any appropriate projects within Shefford.

The Applicant has also indicated that the proposed development will result in an added benefit of just under £500,000 worth of capital infrastructure investment to

upgrade the existing sewerage network which would also provide extra capacity in the sewerage network over and above that required for this scheme. All of these works would be carried out by the developer. Clarification has been sought from Anglian Water on the extent to which this is over and above what would be required for any other residential development of the site, if any. However no response has been received.

The Applicant has also indicated that the development is likely to provide a total payment of £1, 291, 724 (over six years) to the Council through the delivery of the Government's New Home Bonus. The applicant has based this figure on the New Homes Bonus Calculator. However it is worth noting that the New Home Bonus is awarded with respect to all new dwellings built within Central Bedfordshire and as such is not a contribution that is specific to this development or this site.

Matters of layout, appearance, scale, landscaping would be reserved for subsequent approval.

3.0 POLICIES AND GUIDANCE

The National Planning Policy Framework (2012)

Central Bedfordshire Core Strategy and Development Management Policies (2009)

CS1 Development Strategy

CS2 Developer Contributions

CS3 Healthy and Sustainable Communities

CS4 Linking Communities - Accessibility and Transport

CS5 Providing Homes

CS6 Delivery and Timing of Housing Provision

CS7 Affordable Housing

CS13 Climate Change

CS14 High Quality Development

CS15 Heritage

CS16 Landscape and Woodland

CS17 Green Infrastructure

CS18 Biodiversity and Geological Conservation

DM1 Renewable Energy

DM2 Sustainable Construction of New Buildings

DM3 High Quality Development

DM4 Development Within and Beyond Settlement Envelopes

DM9 Providing a Range of Transport

DM10 Housing Mix

DM13 Heritage in Development

DM14 Landscape and Woodland

DM15 Biodiversity

DM16 Green Infrastructure

DM17 Accessible Green Spaces

Central Bedfordshire (North) Site Allocations Development Plan Document (2011)

Planning Obligations Supplementary Planning Document (North) (2009)

The emerging Development Strategy for Central Bedfordshire was published on 30 June 2014 for pre-submission representations to be made. Submission is currently planned for October 2014. There is a housing target of 31,000 homes within this document to reflect more up to date demographic information and a new Strategic Housing Market Assessment. The following policies are considered to be applicable to the proposed development:

Policy 1 – Presumption in Favour of Sustainable Development

Policy 2 – Growth Strategy

Policy 4 – Settlement Hierarchy

Policy 19 – Planning Obligations and the Community Infrastructure Levy

Policy 20 – Next Generation Broadband

Policy 21 – Provision for Social and Community Infrastructure

Policy 22 – Leisure and Open Space provision

Policy 23 – Public Rights of Way

Policy 24 – Accessibility and Connectivity

Policy 25 – Functioning of the Network

Policy 26 – Travel Plans

Policy 27 – Parking

Policy 28 – Transport Assessments

Policy 29 – Housing Provision

Policy 29a – Market-Led Sustainable Development

Policy 30 – Housing Mix

Policy 31 – Supporting an Ageing Population

Policy 32 – Lifetime Homes

Policy 34 – Affordable Housing

Policy 35 – Exception Sites

Policy 38 – Within and Beyond Settlement Boundaries

Policy 43 – High Quality Development

Policy 44 – Protection from Environmental Pollution

Policy 45 – The Historic Environment

Policy 47 – Resource Efficiency

Policy 48 – Adaption

Policy 49 – Mitigating Flood Risk

Policy 50 – Development in the Countryside

Policy 56 – Green Infrastructure

Policy 57 – Biodiversity and Geodiversity

Policy 58 – Landscape

Policy 59 – Woodlands, Trees and Hedgerows

Other Material Considerations

Design Guidance for Central Bedfordshire (2014)

Sustainable Drainage Guidance SPD (April 2014)

The Leisure Strategy (March 2014)

The Mid Bedfordshire Landscape Character Assessment (2007)

Shefford Parish Green Infrastructure Plan (2010)

4.0 PLANNING HISTORY

CB/14/00763/SCN EIA Screening Opinion: Residential development for up to 140 dwellings.

Advice released: 21.03.2014

5.0 REPRESENTATIONS

5.1 Shefford Town Council - Objection

- Shefford has met its target in terms of local development;
- The proposed development is outside the settlement envelope;
- Inconsistencies in 'Utilities Report' on numbers quoted for by utilities;
- 'Ecological Assessment' makes several recommendations and enhancements, who would make sure these are closely monitored and implemented;
- 'Archaeological & Heritage Statement' general concern about shallow level of trenching (witnessed by a Councillor) carried out when compared with earlier surveys which did locate Roman remains;
- Who will closely monitor construction.
- 'Lighting Impact Assessment' most of it is lifted from standard treatises, elevations have been ignored particularly around junction into Ampthill Road, pg10 quotes Good Urban Lighting however this is not an urban area;
- 'Flood Risk Assessment' EA is currently investigating flooding caused by surface water run-off to a property in Penfold Close and does not want to see any additional water draining in that direction.
- EA is concerned about risk of flooding in area as well as increased pollution associated with previous land use.

Updated response (dated 13/08/2014)

- Overall objection remains unchanged.
- If the development goes ahead and a skate park was to be provided at the developers expense, the Town Council would be reluctant to take on maintenance. Discussion necessary re: costs, insurances, noise and disturbance.

5.2 Shefford Lower School - Raises concerns

School place availability

- Estimate that a development of 140 dwellings with 35% affordable housing will yield between 40-50 children of lower school age. Based on our estimates it is highly unlikely these children will be accommodated or based on current CBC School Admission Policy where priority is afforded to children who live closest to the school, these children will be offered a place but others who live furthest away in the catchment area will be denied a place.

Discussions with developers and the perceived benefits to Shefford Lower School

- Governing Body has previously met with developer, it was stressed that the school was oversubscribed, whilst it is an issue for CBC to solve, the Governing Body at this time has agreed not to consider any further expansion of the school without the provision of additional land which adjoins the school playgrounds because it could impact the Schools ability to deliver the National Curriculum.
- Governing Body is aware of developers offer to provide contributions towards bringing former Shefford Lower School site back into educational use. Both Shefford Lower School and Robert Bloomfield Academy have carried out feasibility studies on this piece of land and buildings but have opted to develop other parts of the site because of the extremely high costs involved in developing it due to ground, archaeological and accessibility conditions. The study indicated it would be in the region of £2.5M. The high cost was also because of the layout and size of the former building does not meet modern day educational standards. Whilst the land is sandwiched between Shefford Lower School and Robert Bloomfield Academy it would be very difficult to operate a larger lower school over two different sites because the site would be split by the main 'public' access route between the former Lower School and current lower school. Security issues would be a serious concern along with having to duplicate facilities (kitchens, hall and playgrounds).
- The school has requested that the developers give strong consideration to 'gifting' the lower school a piece of land measuring 61m x 43m. This would run parallel to the schools existing western boundary. The area would be designated as the School's playing field and if the need arises for the school to expand, it would allow the school to develop its existing playing field for classrooms. This is the schools preferred option.
- The proposal for playing fields, car parking and a full sized all weather pitch at Robert Bloomfield would be under the control of another large school, whilst there is good relationship between the two schools there would be limited access for the Lower School.

Technical design issues - privacy and safeguarding concerns, amenity, design and access and transport

- Request and explanation for additional land to extend the Lower School Playing Fields;
- Floodlighting of the existing ball court and concerns of indicative housing layout being so close to the ball court;
- Concerns over road layout and viewing into the School Playgrounds and parking along the western boundary of the school as proposed in the indicative plans;
- Problems with developing the former Shefford Lower School site back into educational use;
- Parking concerns around the new development and traffic calming along Ampthill Road.

5.3 Robert Bloomfield Academy - Support

Bedfordshire East Schools Trust supports this planning application for the following reasons:

The current planning application for 'Land off Campton Road Shefford' proposes the sympathetic introduction of a landscaped buffer zone along the southern boundary and the retention of the trees and hedges and the introduction of wildflower grassland, tree and shrub planting. Having consulted with the two schools Catesby's suggest a new pedestrian crossing on Campton Road and to transfer a parcel of land south of RBA for two new grass pitches; one full sized and the other 9 V 9; a new car park for the use of the two schools and the community during the day, in the evenings, weekends and holidays to access a full sized floodlit synthetic multi games pitch as well as the current RBA facilities which include a 9 V 9 multi use games area [MUGA], a Sports Hall, a Theatre and other spaces. This would have the dual benefit of alleviating car parking and access in general at the front of SLS and RBA and also allow segregated access to RBA / SLS facilities without the general public having to walk through the main school sites. Much improved community use of the facilities to advance education and community cohesion will be of significant benefit to the people of Shefford. BEST would fully support the proposal and work to enable schools, the community and locality to benefit from duel use of the sites. This offer would be much improved by the following;

1. An access road and car park to be built adjacent to, not on RBA land to alleviate drop off, car parking, pedestrian access and egress issues to and from both the Robert Bloomfield and Shefford Lower School sites and to greatly improve access to all the facilities by the community.

2. The land south of RBA to be transferred to BEST for the use of both schools and the community, to have drainage work undertaken and be renovated to playing field standard prior to that transfer.

3. To finance a full sized floodlit MUGA on the RBA site for the development of sport leisure and recreation for both schools, the people of Shefford and the locality.

4. To finance any associated works for the delivery of these facilities to ensure safe and equal access for all.

We believe these elements would constitute exceptional community and educational benefit to be paid for by the developer's offer of an exceptional community finance contribution, alongside the developer's S106 contributions to provide the people of Shefford with a much larger range of long term sustainable facilities than would otherwise be developed.

Bedfordshire East Schools Trust [BEST] and Bedfordshire East Multi Academy Trust's[BEMAT] long term partnership will ensure the sustainability of these facilities, community use, the increase in participation and the formation of new clubs and activities. BEST is in discussions Central Bedfordshire Council with a view to provide educational and community use of

sporting and educational facilities across the whole BEST estate [Samuel Whitbread, Robert Bloomfield, Etonbury, Gothic Mede, Gravenhurst and Langford Academies] which will also be available to the people of Shefford and the locality.

5.4 Shefford Town Memorial Association - Comment

The Shefford Town Memorial Association (STMA) is aware of contributions being made from the Campton Road development CB/14/01726 by Catesby Estates Ltd.

Although neutral on the development, if it goes ahead, we will be applying for a substantial amount from the £1.4 million that is being proposed by Catesby.

5.5 Bedfordshire Rural Communities Charity

In relation to on-site Green Infrastructure provision, we would welcome the opportunity to input into design and consultation.

We believe that a development of this scale is also required to make a contribution to off-site Green Infrastructure. As such BRCC is seeking for a financial S106 contribution towards the implementation of actions within the Shefford GI Plan. A S106 contribution from this development, should consent be granted, would enable the delivery of local GI projects which have been identified by the local community.

5.6 *Shefford Saints Football Club - Support*

Shefford Saints FC is the predominant youth organisation in Shefford. The club partners with Robert Bloomfield Academy (RBA) and BeMat on a number of initiaitives and were a financial contributor to the provision of the existing MUGA, which is used extensively by the club and thereby provides a major part of the income that makes it sustainable. We are pleased to support this application in conjunction with RBA.

From our direct discussions with the applicant (David Morris of Catesby Estates) and RBA we understand that a number of facilities have been discussed that are effectively seeking funding support to facilitate the implementation via the application. Our understanding is that the applicant has included in his development proposals for access to a potential new full sized artificial grass pitch to be safeguarded on the plans submitted. They have also included land to the south east of the current RBA school field to be gifted to RBA to provide replacement grass pitches. We understand that the applicant has included in their proposals the payment of £1.4M in additional to the many contributions that would normally be mandatory for a development of this scale and both payments will be covered by a Section 106 Agreement, tying the permission to the obligations offered.

From our understanding and through discussions with the applicant, as the new MUGA proposals meet planning criteria in that it represents an ongoing partnership between education providers (RBA/BeMat) and a community organisation (Shefford Saints), it will almost certainly be top of the list when the £1.4M is allocated. It is on this basis that we support the application.

From a wider planning perspective, the application site has never been promoted for residential development through the local development framework or the local plan review previously. I believe it is fair to say, had it been promoted it would have been allocated. Given that it is a suitable site, but not allocated it is correct that the applicant has sought to obtain planning permission by ensuring local support, working with interested parties to ensure the community of Shefford and its rural catchment benefits from the proposed development. We believe that has happened in this instance and also support the application on that basis.

5.7 ***Neighbours and Residents***

Objections (19 received)

- Shefford has woeful inadequate services, facilities and school places.
- There are two developments that have not even been completed yet in Shefford.
- Do not support the development but support the financial contributions and they should be spent on a swimming pool.
- Shefford can not cope with more housing, schools extended already and no community facilities added so far. If it does go ahead we support the associated community benefits, particularly youth facilities and swimming pool.
- School, doctors, dentists etc are bursting. Shefford Lower School just had an extension and still can not accommodate all Shefford children. More speeding traffic in town. We need leisure facilities i.e. swimming pool with gym above, to accommodate those that already live here. If it does go ahead, should have 4 bed social housing.
- Shefford does not have the infrastructure to cope with further development. Schools and sewerage systems are filled to overflowing and there appear to be no plans connected to this development which will rectify either before the houses are occupied.
- Building more homes does not improve employment opportunities for local people, it adds to the 'commuter town' status of Shefford.
- The questionnaire asks for a list of suggestions on a solution that most benefits the local community and asks how I would spend the £1.4M blood money they are offering as a sweetener to get through the system (I wonder what the new residents would say if they realised £10, 000 of their purchase prices was being diverted directly to the local council?). The questionnaire is loaded and offers little or no benefit to local businesses so I don't believe that we can comment in our capacity as business people. None of the proposed 'improvements' will directly affect local business and whilst a swimming pool is likely to attract the attention of the general public the lack of land in the town plus the horrific management costs would make the £1.4M disappear in seconds.
- The development will have an adverse effect on drainage and flooding of Penfold Close.
- Additional traffic exiting and entering the site directly outside my house will increase noise.
- The additional traffic will also create queues of traffic to Ampthill roundabout adding to noise and pollution.

- The current access to both schools via School Lane and Bloomfield Drive is very congested and unsafe particularly at the junction with Ampthill Road. The opportunity should be taken to provide a new vehicular access to both schools through the development.
- Shefford needs a second lower school.
- Loss of agricultural land and extending developed boundary of the town should be avoided.
- Ambient noise level will be significantly increased.
- There should be no access to the development via School Lane.
- The schools are fit to bursting as well as the health centre, Shefford is being picked on for development. The roads can not cope. The water and sewerage system can not cope. Shefford has gone from a lovely small market town to an overpopulated commuter town.
- Another 140 families is not acceptable without additional infrastructure. Queues at roundabouts, additional traffic on Ampthill Road which is already very busy, especially at school times. Shefford Lower School is too small, 5 year olds will need to be buses. No further development should take place without a new lower school.
- Inadequate parking for residents of Ampthill Road, especially during school times.
- Due to the recent large number of building projects in the town, the sense of community has been lost.
- No natural landscapes left for children to play and explore in.
- Shefford town centre wont be able to cope with the influx of additional people and cars, I can only just find a park when I drive into town now. Nothing for teenagers to do when they are not at school.
- Extra traffic will cause vibration issues for dwellings in Ampthill Road.
- CBC has recently approved a Local Development Framework where all the land that would be released for development this decade was identified. This land was not part of this process and should excluded from development until the Local Development Framework is reviewed.
- We may be overlooked, lose privacy and the amount of light into our home would be reduced due to the new homes being too close to the boundary with School Lane.
- Shefford has inadequate surface water drainage, heavy rains result in surface flash flooding, this will worsen for Penfold Close, existing drainage already can not cope. If this goes ahead new drainage must be built to cope with excess surface water.
- The site masterplan leaves no potential reasonable expansion of Shefford Lower School.
- Site allocation do not include this site, under targets set out for housing in Central Bedfordshire, Shefford has increased its populace to reach targets originally stated for 2026, locals were not to expect development on this scale for another decade.
- The proposed extension of the playing fields is currently used as a green space for walking and playing, ownership and complete rights to Robert Bloomfield should not be given unless adequate areas for public sports are defined elsewhere. The pitches are not practical; they are sited in a three sided bowl, designed as a flood plain.

- The site is in a prominent position on a sizeable hill, visible from much of the surrounding area. The development would be out of touch with the architecture and culture of Shefford which is a historic market town.
- Provision of a 'youth facility' is inappropriately located; it would be of little use to residents living in the greater part of town. Financial contribution should be given towards the provision of a youth facility elsewhere in the town.
- The lower school is approaching a landlocked situation and can not cater for expansion. The developer is proposing nothing to alleviate this.
- The use of the second site for a playing pitch would result in the loss of a vital catchment area and important natural habitat.

Comments (5)

- Shefford has seen a number of recent development, concern there will not be the school places for existing residents. A grant from the developer would be a fantastic contribution towards a swimming pool or youth facility. They should be designed so that they have can be provided on the same site and expanded in future if required.
- Increase in traffic is a concern, has any thought been given to enlarging the roundabout at the end of Ampthill Road? The amenities would be seriously challenged, school being one of the challenges.
- Expressing concern at the impact the development will have on the lower school, which already can not accommodate all the children in the catchment area. It is a shame that some of the land can not be given to the lower school, as there is a lack of space. In my opinion it would be better to have a new school, so that there are two smaller schools rather than one big one.
- Site occupiers a significant site in Shefford because of its prominent position as the main gateway to the town. Access should be considered directly off the A507 by either extending the existing Ampthill Road roundabout, a new roundabout, slip roads, this would minimise congestion. The site should be professionally landscaped, shouldn't look like another anonymous housing estate. If the access can not be achieved using the above solutions, or the development doesn't provide enough student places at the school, then this becomes an objection.

Support (18)

- Beneficial to local businesses due to increase in population and proximity to town centre.
- Distinct lack of housing between Shefford, Clifton and Henlow and we should be looking to develop. As for community space, there is strong support for a swimming pool/leisure facility with gym. This would provide jobs and income for the area as well as a place for kids to go.
- Robert Bloomfield Academy has supported youth in Shefford, the development will enable them and local supporting clubs to increase quality of facilities and the number of local people that have access to them.
- Will bring work and jobs to the area and create opportunity for community to benefit. I understand part of the development is an astro turf pitch at Robert Bloomfield Academy, this will enhance the ability of the school to

produce more healthy, keen fit young people as well as giving the community as a whole the opportunity to utilise a great facility.

- Unused and derelict farm is an eyesore and no practical use for farming because of its poor quality and constrained boundaries.
- Provide much needed homes for the area and support local community with additional funding and helping school and football teams enhance their facilities.
- A new 4G surface can be used for many sports and events to help the community.
- Shefford Hockey Club merged with Sandy a few years ago as it did not have an artificial surface, with a new full sized pitch we could move the club back to Shefford, which would benefit the local community in terms of community participation and revenue.
- 9 of the 18 responses from members of the Shefford Skatepark Project (a Facebook campaign) seeking a skate park facility within Shefford. Support for the skate park - limited comments relating to the housing development.

5.8 *Surveys handed out by Curtin & Co*

Surveys prepared by Curtin & Co have been handed out by the applicants. The surveys ask questions in relation to what the proposed £1.4M contribution should be put towards. In total, eight responses have been received. There is no detail about the proposed development and as such little weight has been given to these responses.

6.0 CONSULTATIONS/PUBLICITY RESPONSES

Site Notices posted
23.06.2014

07.08.2014

6.1 Environment Agency (External)

No objection, subject to conditions requiring detailed surface water drainage scheme for the site.

6.2 Sports England (External)

Sports England is supportive of the principle of the proposed playing field in this planning application. Planning conditions are requested to provide detail of the playing field contractor's specification, pedestrian access to the playing field from Robert Bloomfield Academy, protective fencing around the playing field and a Community Use Agreement. It is requested that the delivery of the playing field be secured through a planning obligation.

6.3 Bedfordshire & River Ivel Internal Drainage Board (External)

The Board notes that the proposed method of surface water disposal will result in flows entering the Board's district via a balancing pond and control mechanism. Although acceptable in principle, further details will be required.

The Board suggests that planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

6.4 Archaeology Officer (CBC)

No objection to development of the site, subject to a condition requiring the submission of a scheme of archaeological investigation.

With regards to proposals for a financial contribution to a museum within Shefford, providing a museum in the traditional sense (storing and displaying archaeological or other collections) would need formal accreditation with Arts Council England. Capital cost of providing such a facility would be substantial and probably greater than the total amounts quoted as being available. Would also need substantial financial provision for running costs of museum. It may easier and more appropriate to provide interpretation and public access to Shefford's historic heritage through other means, for example through a heritage centre run in conjunction with the Bedford Museum.

6.5 Ecology Officer (CBC)

Raises several concerns in relation to the following;

- Relationship of the proposed sports pitch and the adjacent river corridor;
- Linkages between the development site and the Shefford Road Verge Nature Reserve and impact on wildlife movement and connectivity and the acoustic barrier;
- Location of wildlife pond in SUD's feature and its connectivity to the rest of the site.

No objection in principle, however any grant of planning permission would require additional conditions which would address the above concerns.

6.6 Education Officer (CBC)

Objection, discussed further below.

6.7 Green Infrastructure Officer (CBC)

Objection, discussed further below.

6.8 Highways Officer (CBC)

No objection to the proposal. The application is supported by a Transport Assessment detailing the traffic generation and distribution and confirms the access and surrounding highway network has sufficient capacity to accommodate the traffic movements from the development. Conditions are recommended.

6.9 Housing Development Officer (CBC)

The proposal will provide 49 affordable homes which reflects the current policy requirement of 35%. The Strategic Housing Market Assessment (SHMA) indicates a required tenure split of 63% rent (31 units) and 37% intermediate tenures (18 units). The units should be well dispersed throughout the site and integrated with market housing to promote community cohesion and tenure blindness. All units should meet the Code for Sustainable Homes Level 3 and meet all HCA Design and Quality Standards.

6.10 Landscape Officer (CBC)

Objection, discussed further below.

Although the new drawings do illustrate improvements over the initial scheme, I am still objecting to the landscape treatment of the eastern parcel as formal sports provision would detract from landscape character in an area with a strategy for sympathetic enhancement.

There are concerns regarding the acoustic fence.

6.11 Local Development Framework (CBC)

Objection, discussed further below.

6.12 Play and Open Space Officer (CBC)

In terms of on site play facilities, the development should provide a single, multi-age group site, rather than three individual sites. The combined site should be 500-600m² in size and contain a range of equipment for 3-12 year olds. The site would ideally be central to the development, or at a focal point and have sufficient buffer to house resident's privacy. The details of the provision can be agreed at reserved matters stage, however the site and its size should be identified at outline.

6.13 Public Arts Officer (CBC)

Good opportunity to integrate public art into the development, a Public Art Plan should be produced for agreement with the Council, prior to the commencement of development. Can be conditioned.

6.14 Public Protection (Pollution) (CBC)

Concerns raised in relation to;

- Noise levels from the adjacent schools and A507 detrimentally impacting on the internal and external noise levels of future dwellings;
- The noise created by the youth facility (skate park) and the impact it will have on adjacent residential properties;
- Light spillage from adjacent uses (MUGA at schools) and the light impact this will have on proposed adjacent residential dwellings.

Noise conditions were suggested that would control the internal (within dwellings) and external (within outdoor amenity areas) noise levels to an acceptable decibel. The applicant initially confirmed that they could not meet the levels set out in the condition. However, with changes to the site layout and the provision of a youth

facility in the south eastern corner of the site, the applicant now believes that the noise levels in the suggested condition can be met.

Concerns are still raised in relation to noise as no updated noise modelling has been provided to accompany the revised site layout, and no assessment of noise from the youth facility on the proposed dwellings has been carried out. However it is considered that these concerns could be successfully addressed via condition and at reserved matters stage.

6.15 Public Protection (Contamination) (CBC)
No comment to make.

6.16 Rights of Way Officer (CBC)
No objections, subject to improvements to the surrounding public access routes. The proposal will require planning contributions for the upgrading and improvement of these areas.

6.17 Sustainable Transport, Cycle & Walking, Travel Plan Co-Ordinator (CBC)
No objection, subject to conditions.

6.18 Trees & Landscape Officer (CBC)
Concern is raised in relation to the impact that the proposed acoustic bunding will have on the existing boundary planting along the A507. Landscaping and planting details will be required that demonstrates the retention of existing hedgelines and trees along with new planting. No objections, subject to conditions.

6.19 Waste Officer (CBC)
No objection, subject to conditions requiring further detail at reserved matters stage.

7.0 DETERMINING ISSUES

The main considerations of the application are;

i) Policy Framework (8.1)
ii) Principle of Development (8.2)
iii) Impact on character and appearance of the site and surrounding area (8.3)
iv) Appearance, Layout, Scale, and Landscaping (8.4)
v) Access, highways and traffic (8.5)
vi) Impact on Neighbours (8.6)
vii) Biodiversity and Ecology (8.7)
viii) Living conditions for future occupiers (8.8)
ix) Archaeology and heritage assets (8.9)
x) Rights of way and permeability (8.10)
xi) Flood risk, drainage, sustainable growth and land quality (8.11)

8.0 CONSIDERATIONS

8.1 Policy Framework

The National Planning Policy Framework (NPPF)

Section 38(6) of the Planning and Compulsory Purchase Act (2004) and the NPPF set out that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (para.11). The NPPF does not change the statutory status of the development plan as the starting point for decision making (para. 12).

At the heart of the NPPF is a presumption in favour of sustainable development. Local planning authorities should positively seek opportunities to meet the development needs of their area. Local Plans should meet objectively assessed needs (para. 14).

Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally (para 15).

Core principles of the NPPF state that planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency (para 17).

Plans should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it (para 17).

Plans should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local need (para 17).

Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of

deliverable housing targets (para. 49). There should be an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land (para. 47).

The NPPF seeks to promote sustainable development in rural areas by ensuring that housing should be located where it will enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid isolated new homes in the countryside, unless there are special circumstances (para. 55)

The NPPF attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. In particular the NPPF states that LPA's should;

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted.

Given that the NPPF (para 72) places great importance on ensuring sufficient school places are available, it therefore follows that regard should be given to the impact that a proposed development would have on the local school places.

National Planning Policy Guidance (NPPG)

Additional guidance to supplement the NPPF and provides additional interpretation of the Government's planning intentions.

The Adopted Development Plan

The Central Bedfordshire Core Strategy and Development Management Policies (2009) forms part of the Local Development Framework for the North Area of Central Bedfordshire. The document was formally adopted in 2009, following consultation and examination. This document is considered to set out Central Bedfordshire Council's policy approach for the North Area and as such significant weight is given to it.

The Central Bedfordshire Core Strategy and Development Management Policies (2009) is the adopted Development Plan for Central Bedfordshire. The document covers the area formally known as Mid-Bedfordshire, now referred to as the 'North'.

The Plan is considered to be consistent with the NPPF. It is a positive document with the delivery of sustainable communities at its heart. The plan is based upon and reflects the presumption in favour of sustainable development, with clear policies that guide how the presumption should be applied locally, in accordance with para. 15 of the NPPF.

The Plan has been tested in examination, is up to date, and therefore significant weight is given to this adopted document and the policies contained within.

The Site Allocations SPD forms part of the Local Development Framework for the North Area of Central Bedfordshire. The document was formally adopted in 2011 following consultation.

The Site Allocations SPD states that Shefford is a Minor Service Centre, and allocations have been made for 150-250 new dwellings, 2-4 hectares of employment land and new recreational open space. Two allocated sites; Land at Stanford Road (100 dwellings, nature reserve and extension to Millennium Green) and Land at Bridge Farm, Ivel Road (70 dwellings and 2 hectares of employment land) are included. In addition to this, the Former Shefford Town Football Club on Ivel Road was allocated for 59 dwellings under the previous Local Plan. As it had planning permission by the time the SPD was published, it was not included as an allocated site. All three sites now benefit from planning permission and are coming forward.

Areas A and B, subject to this application, were not put forward as part of the site allocation process.

The Emerging Development Strategy

The emerging Development Strategy for Central Bedfordshire was published on 30 June 2014 for pre-submission representations to be made. Submission to the Secretary of the State is currently planned for October 2014. The document is still at consultation stage and has not been through examination. This document is therefore given limited weight.

8.2 Principle of Development

The Central Bedfordshire Core Strategy and Development Management Policies (2009) form part of the Local Development Framework for the North Area of Central Bedfordshire. It sets out the Strategy for providing homes and jobs in Central Bedfordshire. At 3.3.1, it sets out the approach that will be taken to achieve these development requirements. Part of that approach is to control development within the open countryside.

Paragraph 3.6.1 explains that the physical boundaries of settlements in the district are defined to differentiate between the built-up part of settlements and open countryside. Settlement Envelopes are an established policy tool for determining planning applications. Settlement Envelopes are displayed on the Proposals Map which accompanies the Development Plan Document.

The supporting text to Policy DM4 (Development Within and Beyond Settlement Envelopes) sets out at 11.1.5 that outside settlement envelopes, where the countryside needs to be protected from inappropriate development, only particular types of new development will be permitted in accordance with national guidance… This includes residential development on Exception Schemes as set out by Policy CS8, or dwellings for the essential needs of those employed in agriculture or forestry, or that which reuses or replaces an existing dwelling. These criteria are reinforced by paragraph 55 of the NPPF. The main body of the policy text offers no support for market residential development outside of Settlement Envelopes.

The site is outside the Shefford Settlement Envelope. It is in the open countryside and has an open, rural, agricultural character. The site performs the role of providing an open, green space adjacent to the settlement of Shefford. The supporting text of Policy CS16 of the Core Strategy (2009) sets out that the countryside outside settlements is a highly valued resource. The second bullet point of policy CS16 states that the Council will 'conserve and enhance the varied countryside character and local distinctiveness in accordance with the findings of the Mid Bedfordshire Landscape Character Assessment'.

The Mid Bedfordshire Landscape Character Assessment indicates that the site is within the Upper Ivel Clay Valley (4C) Character Area. The Landscape Strategy for this area is to enhance elements that have become degraded and create new features to enhance and strengthen the river valley.

The proposal is a residential development of some 140 dwellings in the open countryside. The Council's adopted policies clearly indicate that such a development in the open countryside should be resisted and the open countryside should be protected for its own sake. (Policy DM4 and Policy CS16)

The NPPF confirms that a core planning principle is recognising the intrinsic character and beauty of the countryside (para 17) and that unless material considerations indicate otherwise, developments that conflict with adopted plans should be refused (para 12).

The Applicants state that there are material considerations that indicate that the proposal is acceptable, these primarily relate to the Council's five year housing land supply, the sustainability of the site and the monetary contributions being

offered by the applicant.

The NPPF is clear that where a development conflicts with the development plan, it should be refused unless material considerations indicate otherwise.

Five Year Housing Land Supply

The Applicants state that the Council's housing delivery policies and figures are out of date as they are not based on objectively assessed housing needs.

The Development Strategy for Central Bedfordshire will be the new Local Plan for the district and will, once adopted, replace the existing suite of documents which make up the current development plan. Until then, the Core Strategy and Development Management Policies DPD (2009) continues to carry the greater weight and should be used when determining applications in the north of Central Bedfordshire.

On 20 June 2014 the Council received the Strategic Housing Market Assessment (SHMA) for Luton and Central Bedfordshire. This identifies an objectively assessed need for 25,600 homes to be delivered in Central Bedfordshire over the 2011-2031 period. Until the Development Strategy is adopted the figure identified in the SHMA should form the basis of the Council's 5 year requirement calculation.

The Council published its SHLAA and Housing Trajectory in June 2014. The delivery rates within the Housing Trajectory have in the main been supplied by agents and developers and through site visits. There is no reason to assume that these are not a realistic estimate of annual delivery. The sites included within the five year supply period are only those which are considered to deliver during this period. The southern extension to the Wixams for example has not been included.

The applicant has provided an alternative housing trajectory and 5 year supply figures however the Council's published SHLAA and Housing Trajectory are considered most appropriate and as such it is this document that is used.

The emerging Development Strategy seeks to boost the supply of housing and policy mechanisms will be put in place to deliver this. These include a Market Led Sustainable Development Policy and an Allocations Local Plan. As only limited weight can be given to the emerging Development Strategy, the number of homes to be delivered through these policy mechanisms has not been included within the 5 year supply calculation which supports this policy response.

Using the 25,600 Objectively Assessed Need (OAN) figure as a base, the basic 5 year requirement is 6,400 dwellings. Due to past persistent under delivery in the south of Central Bedfordshire, a 20% buffer has been applied to the 5 year requirement in accordance with paragraph 47 of the NPPF.

Shortfall from the first 3 years of the plan period has been small at only 300 dwellings and shortfall from this monitoring year is expected to be only 60 dwellings. There is debate about whether any under-delivery (shortfall) from previous years should be made up over the remaining plan period (known as the "Liverpool method") or made up over the 5 year supply period (known as the "Sedgefield method").

The calculations for the five year supply are set out below;

Liverpool Method		**Sedgefield Method**	
Five year requirement		**Five year requirement**	
25,600/20 (years)	= 1,280	25,600/20 (years)	= 1,280
1,280/5 (years)	= 6,400	1,280/5 (years)	= 6,400
6,400 + 20%	= 7,680	6,400 + 20%	= 7,680
Addition of Shortfall			
360/16 (years)	22.5	7,680 + 360	= 8,040
22.5 x 5 (years)	112.5		
7,680 + 112.5	7,793		
Supply		**Supply**	
5 year supply	= 9,829	5 year supply	= 9,829
No. years supply		**No. years supply**	
7,793/5 (years)	= 1,558.6	8,040/5 (years)	= 1,608
9,829/1,558.6	= 6.31 years	9,829/1,608	= 6.11 years

The Housing Trajectory is appended to the Strategic Housing Land Availability Assessment (SHLAA) identifies a five year housing supply of 9,954. Since the Housing Trajectory was published this figure has been amended to 9,829 dwellings. This is equivalent to;

a) 6.31 years supply if the Liverpool method is applied; and

b) 6.11 years supply if the Sedgefield method is applied.

The NPPF sets out a presumption in favour of sustainable development. It states that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five years supply of deliverable sites." Evidence shows that the Council can demonstrate a 5 year supply against its up-to-date objective assessment of housing need. The punitive assumption in bullet 4 of Paragraph 14 of the NPPF should therefore not be engaged and the relevant policies in the Core Strategy should be applied.

This application seeks permission to develop 140 dwellings outside of the Settlement Envelope of Shefford. Only land with a settlement related use qualifies for inclusion within Settlement Envelope. It is for this reason that this site has not been included following previous Settlement Envelope reviews. The development of new market dwellings in the countryside is contrary to Policy DM4 of the Adopted Core Strategy 2009.

Policy 29a of the emerging Development Strategy will provide for a limited amount of growth outside certain Settlement Envelopes. It is important to note that as this policy is a departure from the local historic approach, it will not be deployed until the Development Strategy is formally adopted. In any event, this particular application is contrary to emerging policy 29a as it proposes a level of housing development which is considerably greater than that envisaged by the policy.

As such, even in the event that the policy was adopted, it is considered that the scale of development proposed would be contrary to the policy and planning approval would be unlikely to be granted.

This application seeks permission to develop up to 140 dwellings outside of the settlement envelope of Shefford. The development of new market dwellings in the countryside is contrary to Policy DM4 of the Adopted Core Strategy 2009. The application should be refused.

Sustainability of the site and suitability of Shefford for growth

The applicant has set out their case in terms of the economic, social and environmental benefits of the scheme in their submitted planning statement. It is the Council's view that the considerations put forward by the applicant do not result in material considerations of such weight to outweigh the non-compliance with adopted policy.

It is the Council's view that there are no material considerations to outweigh conflicting with the Development Plan. Regard has been given to the

sustainability of the site and the suitability of Shefford for additional growth. The Council's Site Allocation Plan (2011) sets out the allocated sites for housing and employment development within Shefford. Three sites were identified within Shefford (including the previous Shefford Town Football club site for which planning permission was granted by the time the final draft of the document was completed). The indicative range for housing numbers for Shefford was 150-250 and three allocated sites were designated. Following on from the adoption of this plan, the three sites now all benefit from planning permission and are coming forward. The Shefford town football club site delivered 59 dwellings, the Stanford Road site will bring forward 95 dwellings when complete, and the Bridge Road site will bring forward 85 dwellings when completed. Therefore under the current Site Allocation Plan, Shefford has benefited from an additional 239 dwellings, in line with the indicative range set out in the document.

Whilst it is accepted that the proposed scheme will bring economic benefits to Shefford (during the construction period of the scheme), and social benefits in terms of increasing population, provision of affordable housing and formal and informal open spaces, the site itself is not considered sustainable. In order for this development to be considered sustainable, the existing services and facilities of Shefford would need to be able to cope with the demands of the new development. The existing lower schools cannot, thus the Council does not consider that the development comprises sustainable development.

Shefford Lower School has been recently expanded to 450 places in order to cater for the expected housing growth in Shefford as a result of the allocated sites. The current population of the school catchment has therefore been planned for and adequate school place provision made. The proposed development will increase the number of children within the catchment and create a deficit of school places. This means that Shefford Lower School would need to be further expanded to cater for the additional children, or a new lower school within Shefford would need to be provided.

Beyond Shefford Lower School, the nearest lower schools are Campton Lower School and All Saint's Lower (both located in adjacent villages). Neither of these schools have the capacity to provide additional school places for the children of this proposal.

Robert Bloomfield Academy (middle school) can cater for the existing catchment, and has recently received planning permission for a further expansion that will cater for the expected growth within the Shefford and the unexpected growth from the proposed development.

Samuel Whitbread Academy (upper school) is currently at capacity, however plans are underway to increase the number of upper school places in the area. Etonbury Middle School (Stotfold/Arlesey) will be extending its age range from 2017 to provide upper school places (planning application is currently pending).

Therefore it is expected that there will be upper school places in the area to cater for the unexpected increase in the number of children from the development.

Given the importance placed on providing school place provision (paragraph 172 of the NPPF), in addition to providing financial contributions to assist in providing places within the schools, the applicants have been asked to provide additional land to either allow for the creation of a new lower school for the town (0.8ha) or to allow for an extension to Shefford Lower School.

Whilst the applicants are prepared to pay the education contribution for all phases of education (£1, 216, 467.62) they are not prepared to assist in providing land. Instead, they have suggested that the former Shefford Lower School building (located to the north of Shefford Lower School and Robert Bloomfield School) can be bought back in to use to provide additional capacity for both schools.

The reuse of this building and the site is not considered to be a viable option for the provision of additional school places. The site is located to the north of a public access way, meaning that members of the public would be permitted to walk through the site raising serious security issues. The building itself is old, and costings previously undertaken by the Lower School have indicated that bringing the building up to current standards would be in excess of £2.5M. Highways, access and parking is also of concern, as the existing access would be used and no additional space for parking would be provided. The site itself is no longer allocated to education as it has been approval for disposal from the Secretary of the State.

The applicants contest this position and have referred to two appeals. However the Council is not of the opinion that these arguments are relevant.

The completed expansion of Shefford Lower School was to provide for known housing development on allocated sites within the town. Not only is Shefford Lower School unlikely to be able to cater for the children produced by this development, but the local schools of Campton and All Saints will not be able to cater for the additional children. This would leave Central Bedfordshire Council with the cost of transporting children to another lower school outside Shefford with places. The Council does not regard this as a sustainable development as it would result in the displacement of children from Shefford by requiring that they travel to schools much further afield.

Policy CS3 of the Core Strategy and Development Management Policies states that the Council will ensure appropriate infrastructure is provided for existing and growing communities by directing development, within the context of the Development Strategy and settlement hierarchy, to locations where developer contributions can facilitate a solution or where addition development could achieve critical mass to make a solution viable. The proposal does not bring

about a critical mass or assist in the creation of a solution, but rather would result in the provision of a large, unplanned residential development which will significantly impact on the Council's planned provision of school places within Shefford and result in the displacement of children to outside the school catchment areas. The proposal is contrary to Policy CS3.

The NPPF in paragraph 72 is clear in the great importance that the Government places on ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities. It therefore follows that if an unplanned development, contrary to the development plan and therefore outside the community's clear expectations of development in their local area, would result in an undersupply of school places, then it can not be in accordance with the NPPF. The development site is unsustainable and would result in the Council having to pay for the transport of the children of Shefford outside the community to other schools. The proposal is therefore contrary to the National Planning Policy Framework (2012) and the adopted Core Strategy and Development Management Policies (2009).

Planning Contributions

The Applicant has put forward a package of contributions that would be provided with the development. These are summarised as;

- Provision of 35% of affordable housing, including three bungalows;
- Provision of full amount of financial contributions in accordance with the Council's adopted Planning Obligations SPD;
- An additional financial contribution of £10,000 per dwelling (£1.4m based on 140 dwellings). The contribution has not been set aside for any specific project; although a list of potential projects have been provided by the applicant.
- The provision of a Youth Facility (based on 929m2 skate park or multi-use games area) the cost of which will be provided by the developer. - The provision of a Wildlife Habitat Area (within Area B) including;

- A new wildflower area;
- A new grassland with native tree planting;
- Swales to collect run off from the Sports Pitches and control run-off to River Hit;
- A new footpath and retention of existing footpath through the site;
- A new footpath through the site;
- The preparation of part of Area B for playing pitches, and the transfer of the pitches to the Robert Bloomfield Academy, after the pitch work is completed, within a five year maintenance contribution;
- A Right of Way contribution of £17, 975 towards creating a new link between Churchill Way Public Space and Heron Close, including a small bridge, provision of four oak benches, two oak picnic tables, new interpretation boards and signage and upgrading of surfacing of Public Right of Way Shefford FP1.
- The provision of a new access T junction and traffic calming measures on Amptill Road.

- A package of drainage works comprising £500, 000 over and above what would normally be required for a development of this size.

Therefore regard needs to be given as to whether the above contributions constitute a material consideration of significance that would outweigh the otherwise identified harm of allowing development within the open countryside.

The provision of affordable housing and financial contributions are in accordance with the Council's adopted policies and SPD and as such are what is expected for new residential development within Central Bedfordshire. Therefore whilst welcome, in themselves are not considered a material consideration of such significance to outweigh non compliance with other policies. Similarly the access arrangements are required in order to provide satisfactory access into the site and as such do not constitute a material consideration of significance.

The Wildlife Habitat Area, Playing Pitch, Youth Facility and Right of Way contribution are welcome additions to the development and their provision is encouraged. It is considered that these features could be secured on site through a S106 agreement or condition.

The additional proposed contribution of £10,000 per dwelling is more problematic (£1.4m on the basis of 140 dwellings on the site). The developer has sought the views of many local organisations and residents with regards to spending this money, which has indicated a number of potential projects. However the feasibility of providing some of these projects (such as a museum or public swimming pool) and maintaining such a facility, is likely to require significantly more money than what is being proposed. Further, it is not clear how this money would be collected, when it would be paid and how its distribution would occur. Lastly, and of greatest concern, is whether the payment of this money would meet the tests set out in the CIL regulations; namely that the money is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. As the £1.4M represents an additional financial contribution, arbitrarily determined, over and above the contributions required by the Council's adopted documents, for no specific development (although it is noted a list of many possible options have been provided) it is not considered that this money meets the above tests. As such, if the Council was challenged on the payment of this money (for example at appeal or by a future developer of the land) it is not likely that this could be defended. The CIL guidance is clear that planning permissions cannot be bought and financial contributions can only be sought to mitigate against the impact that a development would have on local infrastructure. As such, it is considered that little weight can be given to this additional payment and it is

therefore not a material consideration of significance. The fact that the applicant is willing to make this payment, does not mean it meets the requirements of the CIL regulations or that it is lawful in planning terms.

It is therefore considered that the proposed planning contributions (with the exception of the £10,000 payment per dwelling) are material considerations. However, they are considered reasonable and relevant to the development, supported by the Council's adopted policies and guidance and for that reason cannot be considered material considerations of such significance that they outweigh the identified harm of developing on an unsustainable site outside the identified settlement envelope, contrary to the NPPF and adopted policies and guidance.

The applicant has not provided a signed S106 or UU to the Council and as such the lack of any formal documentation to secure these contributions forms a separate reason for refusal. However, the applicant is willing to provide a S106 agreement and as such if Members were to resolve to approve this application, then this can be agreed prior to issuing the decision.

It is therefore the Council's position that the proposed development is not supported in principle, and that material considerations do not justify a grant of planning permission. The application site falls outside of any identified Settlement Envelope. The application site and the development are not sustainable. The development would not constitute an exception scheme and would not meet any of the criteria set out in 11.1.5 of the supporting text to DM4 or paragraph 55 of the NPPF. The development is unacceptable.

8.3 Impact on character and appearance of the site and surrounding area

The proposed site (Area A) is located outside the settlement envelope of Shefford and is an open site with a rural, agricultural character. The land has a visual value as an undeveloped piece of land on the edge of the settlement as a transition between the built form of Shefford and the open countryside.

Area A is currently occupied by a small number of dilapidated agricultural buildings along the Campton Road frontage; however the majority of the site is an open un-developed agricultural field with native boundary hedges, small trees and grass across the site. Adjacent to the site is the existing well established planting along the A507; a long row of mature Poplars (on the adjacent school land) currently readily visible from within and beyond the site; and the river corridor of the River Hit.

Area A is a prominent site. Views of the site are possible from Ampthill Road, one of the main entrance routes into Shefford. The site is highly visible from Campton Road, which is the main pedestrian and cycle route between Shefford and Campton and where access to the Shefford Cemetery is provided. Views of the site are also available from A507 and from the roundabout to the north. The site plays an important role in providing an open, green and rural edge to the

settlement, as well as forming part of the River Hit corridor.

The topography of Area A increases its visibility, rising upwards from Campton Road to a central elevated area, before sloping away towards the river corridor of the River Hit.

The development of this site will therefore be visible from several public vantage points, particularly given the rise in ground levels across the site and when compared to the surrounding areas. The result will be the complete loss of this green and open space and its replacement with an urban and built up development that will extend into the countryside surrounding the village. The proposal is detrimental to the character and appearance of this open and agricultural land that provides an attractive green space when viewed from within and beyond the settlement.

The proposed development includes the provision of an acoustic barrier along the edge of the site with the A507. The barrier is proposed to comprise of a 3m high bund, with a 4m high solid fence above, and will extend for the entire length of the boundary of Area A with the A507, a distance of some 520m. This barrier would have a fixed, industrial and highly engineered appearance, completely obscuring views in and out of the site. The acoustic solution is considered to result in an incongruous and detrimental feature on the openness of the site and character of the surrounding countryside. The applicant has indicated that planting would be provided on the bund, which would assist in screening the fencing, however a 4m high fence would take at least 5 years to screen, if not more as planting on made up ground can be slower growing than usual as a result of dry conditions. Therefore, whilst the impact of the barrier would be soften over time, in the short to medium term it would have a significant, detrimental impact on the character and appearance of the site, views from within and outside Shefford, and the wider countryside.

With regards to Area B, this is a smaller parcel of land located to the south eastern corner of Area A. This land is currently a heavily vegetated site that forms an important part of the River Hit corridor, providing an important link in the green infrastructure along the river corridor. The site is traversed by an existing, well used, footpath which is in a poor state of repair. The site holds potential for ecological enhancements that would benefit the surrounding river corridor. Amendments to the scheme have seen the use of this land changed from sporting pitches (to be gifted to Robert Bloomfield Academy) to the provision of a single pitch (capable of being used as two mini pitches or a single full size pitch) to be gifted to Robert Bloomfield Academy and a Wildlife Habitat Area including wildflower area and swales to collect run off from the sporting pitches. The Landscaping, Ecological and Green Infrastructure officers would all prefer this area to remain as a wildlife area, enhanced for ecological purposes

and creating an important river corridor habitat, rather than see the provision of a sporting pitch on this land. Whilst these concerns are considered relevant and the retention of this land as part of the green infrastructure would be welcomed, the use of part of this land for a sporting pitch is supported locally and as such, the compromise provided is considered to be acceptable.

Concerns have also been raised in relation the SUD's design and location across the site as a whole. Whilst these concerns are valid, it is considered that they would be addressed at reserved matters stage.

The Council's adopted policies CS16, DM4 DM14 and DM17, along with the NPPF are clear that development outside the defined and adopted Settlement Envelope should be resisted and the open countryside protected for its own sake. It is the Council's view that material considerations do not outweigh the harm of a large urban development on this open, green and agricultural site, or supporting a development that is contrary to the Council's clear and adopted planning policies. The development will have an irreversible effect on the open, rural and agricultural character of the site.

8.4 Appearance, Layout, Scale and Landscaping

This report concludes that residential development on this open, rural and valuable site would be harmful and unacceptable. It would irreversibly and negatively alter the character of the site, the surrounding countryside and the adjacent settlement. It is contrary to the Development Plan and the material considerations put forward by the developer do not outweigh this. Notwithstanding that conclusion, the individual aspects of the development, as illustratively shown on the submitted Masterplan are discussed below.
The appearance, layout and scale of the development would be assessed at reserved matters stage. The applicant has submitted an indicative master plan which demonstrates how the site could be laid out to accommodate up to 133 dwelling houses, youth facility, sustainable urban drainage scheme, roads and access, and green spaces.

The applicants have submitted a Design and Access Statement that suggests what approach might be taken and it would broadly be acceptable, if the principle of the development was acceptable. The Design and Access Statement indicates that dwellings would be provided on site to a height no taller than 2.5 storeys, however given the rural context and openness of the site dwellings to this height are not considered appropriate. It is considered that a condition could ensure that dwellings no taller than 2 storeys are provided. Materials could also be controlled via condition.

The indicative master plan shows that a LEAP and two LAP's would be provided, an informal green area along the south western boundary of this site, and a youth facility, along with the playing pitches and Wildlife habitat area on Area B. Details of the layout, maintenance and management would be secured through planning condition and through a legal agreement in the event that other matters

were considered acceptable. It is noted that the Play and Open Space officer is objecting to the provision of a LEAP and two LAP's and would be looking to secure a single, multi age facility within the development. Again, this could be dealt with at reserved matters stage.

There is substantial off site planting of predominantly native species along part of the A507 boundary on Highway land which is starting to establish and would contribute towards screening and landscaping of the site. The provision of any bund and acoustic fencing should ensure that any existing planting is retained. The open space amenity land between the southern boundary and proposed dwellings, and the SUD's area located to the north of the site should be utilised as offering good opportunities for ecology and biodiversity, with a combination of quality landscaping and planting. It is considered that this could be secured through conditions and any reserved matters application, had the principle of the development been considered acceptable.

8.5 Access, highways and traffic

The application is for outline consent with all matters reserved except access. In principle, there is no objection to the proposed access arrangement for the site, which is to be via a new arrangement from Campton Road onto Ampthill Road. The proposal will result in a dedicated access way from Ampthill Road into the development, with the existing residents on Campton Road entering the new road, before entering Ampthill Road. The proposal does not include a roundabout or traffic lights at the junction with Ampthill Road.

The application is supported by a Transport Assessment detailing the traffic generation and distribution and confirms that the access and surrounding highway network has sufficient capacity to accommodate the traffic movements from the new development. The only exception is one leg of the A507 roundabout where the reserve capacity (RFC) is reduced to exceed the recommended level of 0.85 but at 0.93 is still below actual capacity of 1.0. The impact of the development will be a marginal increase in queue length during the peak hour, but not to a degree where mitigation measures would be proportional to the impact.

The applicant is aware of local concerns regarding traffic speeds and is promoting traffic calming, speed reduction features along Ampthill Road, to include appropriate facilities to assist the safe passage of vulnerable road users and pedestrians. Although a scheme has been submitted as part of the application it is for indicative purposes only at this stage. With regard to accessing the site the submitted plans indicate a junction arrangement onto Ampthill Road that is compliant with design standards in terms of layout and visibility splay provision and has also been through the first stages of safety audit. In these circumstances, highway conditions and advice notes are recommended should the grant of planning permission be considered.

Regard has also been given to the inclusion of community facilities within the development, being the community use of the football pitch at Robert Bloomfield and the youth facility within the development site itself. It is not thought that either of these facilities would have a significant impact on the suitability of the proposal in a highway context, especially given that the application is for outline approval, and any increase in traffic is unlikely to occur at peak hours. The location of the playing pitch, adjacent to the public access in Swallow Close, would be secured by fencing and provided no access gate was provided, access to this area would remain via Robert Bloomfield Academy. The location of the youth facility, deep within the site, accessed from residential estate roads, will have a bearing on the form of carriageway leading to the facilities and require dedicated parking. It is considered that these issues could be resolved as part of any reserved matters application.

The Sustainable Transport Team has made a number of recommendations that would need to be incorporated with any proposal, these include extending the 20mph zone from the town centre to the development site, provision of a zebra crossing on Ampthill Road in accordance with Central Bedfordshire's requirements, and the provision of dedicated cycle routes through the site to the school entrances. It is noted that the traffic calming measures proposed in the Traffic Assessment, being priority narrowing, are not considered acceptable. Additional detail of this could be secured via conditions and reserved matters were the application considered acceptable.

Further detail would also be required in relation to waste collection, including tracking for waste collection vehicles, confirmation of which roads are to be adopted, details of bin stores and bin collection points. It is considered that these could be acceptably dealt with at reserved matters stage.

8.6 Impact on neighbours

The nearest residential properties are those directly adjacent in Campton Road (No.s 2- 20), Ampthill Road (No.s 93a - 114) and School Lane (No.s 1-6). These dwellings are generally all two storey detached dwellings of various styles and ages. With the exception of School Lane, the existing residential properties will be separated from the development by existing roads and as such, no significant impact on privacy is expected. The dwellings in Campton and Ampthill Roads will be impacted upon in terms of comings and goings particularly in relation to vehicles, outlook from their front windows and possible surface water drainage. It is generally considered that with detailed design and detailed consideration of SUD's any harm could be overcome. With regards to the dwellings in School Lane, they are likely to be more significantly affected by the development with side and rear boundaries adjoining the application site. However it is considered that with detailed layout considerations, the development could be designed so as to ensure that there will be no undue loss of privacy or outlook.

Several objections have been received in relation to the impact on drainage and flooding that the proposed development will have on existing dwellings, particularly those on the other side of Ampthill Road who are at a lower ground level. This is discussed in more detail below. However it is felt that any objections would be overcome at reserved matters stage.

8.7 Biodiversity and Ecology

There are no statutory ecological designated sites within or adjacent to the development site. However the Shefford-Henlow Roadside Nature Reserve (RNR) is located approximately 35m east of the eastern site boundary (the area comprises four parcels of road verge that were planted with wildflowers when the A507 was constructed) and the River Hit river corridor is directly adjacent to Area B, and is considered to be a valuable wildlife habitat which should be protected and enhanced as part of the development. The NPPF (paragraph 109) requires that the planning system minimises impacts on biodiversity and provides net gains where possible.

With regards to the Shefford-Henlow RNR, concerns were raised in relation to the level of connectivity between this area and the development site given the proposed acoustic bunding and fencing along the eastern boundary. Whilst amendments have been made to the Ecological Assessment, introducing tunnels beneath the acoustic barrier, it is considered that whilst this would allow access for wildlife it would only serve to mitigate impact on connectivity, rather than provide enhancement. Therefore, any grant of planning permission would require further enhancement of the connectivity between the development site and the RNR.

With regards to the River Hit river corridor, it is a valuable wildlife habitat and this should be protected and enhanced. Following the amendments to the application, the proposals have re-located the proposed football pitch so that it will only occupy the north-western end of Area B. This will allow for an open swale between the sports pitch and River Hit and the addition of a wildflower area, both of these features are considered beneficial to biodiversity. It is still considered that methods to prevent potentially polluted run off from the sports pitches (from herbicides and fertilisers) to the river should be explored and could be required via condition. Flood lighting of the pitches should not be provided as the river corridor will be used by bats and other nocturnal animals for feeding and commuting and any light pollution will be detrimental, again this can be controlled via condition.

Within Area A, to the front of the site adjacent to Campton Road and Amptill Road, is the proposed 'Grassed Sustainable Urban Drainage (SUD) Basin. The SUD's system for the site is discussed in more depth below, however the

submitted Ecological Assessment indicates this area as being capable of a multi-purpose use as a wildlife pond. The multi-purpose use of the SUD's feature is welcome, however from an ecological perspective connectivity to the pond would be poor, relying on a thin landscaped edge to the west which would be divided by the access road. Repositioning of this feature to improve its connectivity would be preferred. The location of the SUD's, its multi-purpose use and its effectiveness in generally (discussed more below) could be considered in more depth at any reserved matters stage and as such in itself does not represent a reason for refusal.

The proposals for the inclusion of bird and bat boxes within the built fabric of the development are welcomed and these as other ecological enhancements could be further incorporated at reserve matters stage, had the application being considered acceptable.

The applicant also states that the development will contribute to the protection and enhancement of the natural and built environment by improving biodiversity, minimising the use of natural resources and minimising waste and pollution. The applicant states that the proposal will have a 'slight-adverse' effect on the landscape character, limited to the site and its immediate setting (para 6.7 of the applicants Planning Statement), but that there will be a positive effect on the Strategic Green Infrastructure Network. However it is not considered that the development offers any environmental benefits significant enough to be considered a material consideration that outweighs the harm of conflicting with the Council's adopted policies.

8.8 Living conditions for future occupiers

Of particular concern in relation to the living conditions of the future occupiers of the dwellings is the impact on residential amenity as a result of the existing noise environment (from the adjacent schools and A507), the proposed noise environment (from the youth facility), and any impact on light spillage from adjacent uses (MUGAs at schools).

The public protection officer initially requested that any grant of planning permission should contain noise and light spillage conditions to control the impact of these on the future occupiers of the site.

The suggested noise condition would control the internal (within dwellings) and external (outdoor amenity areas) noise levels to an acceptable decibel. However the applicant confirmed that the external noise level requirement of 55dB LAeq could not be met across the site, due to the proximity of the A507. A plan showing noise modelling was submitted by the applicant that indicated a significant number of number of gardens, large areas of open space and formal play spaces along the south east to western boundary were likely to experience

significantly higher levels of noise (60-65dB). These expected high levels are despite the significant acoustic mitigation proposed along the boundary of the site.

It is CBC's approach to physically separate conflicting land uses, if this cannot be achieved then emphasis should be placed on maximising layout, orientation and screening of buildings. The inclusion of barriers to achieve acceptable acoustic conditions is considered to be a last resort.

The amended application has resulted in an altered layout so that dwellings are no longer proposed in the south eastern corner. Instead the application now indicates that a youth facility (based on a 929m² skate park or multi use games area) could be provided within this area. Based on this, the applicants contend that the amended residential layout can comply with the noise limits set out in the condition initially stipulated.

The revised Design and Access Statement states that the youth facility would be overlooked by the new dwellings to ensure that sufficient surveillance was in place and also that the facility would be open to the community.

No updated noise modelling has been submitted to quantify the noise received at the dwellings as a result of the revised layout and proposed youth facility. The noise impact from the A507 and the youth facility on the proposed dwellings would need to be assessed, particularly as dwellings are proposed to overlook the facility; however it is considered that this could be done at reserved matters stage, had the application been considered acceptable.

With regards to the impact of light spillage, the north eastern boundary of the site is adjacent to the MUGA of Shefford Lower School. A planning application has recently been submitted for artificial lighting for this MUGA. Light overspill from these proposed floodlights may impact upon the easternmost dwellings adjacent to this MUGA and therefore their impact on this development would need to be assessed, again this could occur at reserved matters stage were the application considered acceptable.

The internal space standards, external amenity areas and separation distances and other layout and detailed considerations that will impact on the quality of the living environment provided for the future occupiers of the site could be addressed at reserved matters stage, had the application been considered acceptable.

It is therefore considered that had the application been considered acceptable, the imposition of appropriate conditions would ensure that the living environment of the future occupiers of the site could be successfully designed to be in

accordance with the Council's design and amenity standards.

8.9 Archaeology and heritage assets

It is considered that the archaeological constraints of the site could be satisfactorily resolved by way of planning condition. Concerns have been raised by the Archaeology officer in relation to the cost of funding a museum in the town and he has put forward alternatives that would be more cost effective.

8.10 Rights of way and permeability

Area B lies next to Shefford FP1 (public right of way) and adjacent to a larger Central Bedfordshire Council site (between Area B and Churchill Way) that is designated as Open Space, Sports and Recreation. The proposal will therefore have a significant impact on this area and public access will increase. As a result of the increase in use of the local footpath network and nearby open spaces, a new all weather footpath link should be created from Heron Close, which would need surfacing and a small bridge. This route is already in use and would benefit from being made all weather. Picnic tables and oak benches should also be provided adjacent to Churchill Way along with new interpretation boards and signage. Shefford FP1 will also need to be surfaced to facilitate access to the new sports pitch. In the event that the application was considered acceptable in other respects, these improvements could have been provided through planning contributions, secured through a legal agreement.

With regards to permeability of the development, Areas A and B are accessed via existing rights of way and the indicative layout submitted demonstrates that the site could be arranged so as to promote permeability through the site. The final layout could be secured at reserved matters stage, had the application been considered acceptable.

8.11 Flood risk, drainage and sustainable growth

The Environment Agency and the Internal Drainage Board were consulted. Both are of the view that flooding and drainage issues could be satisfactorily resolved by way of planning conditions.

The current proposals are contrary to the local requirements identified in the Sustainable Drainage Guidance, adopted as a Supplementary Planning Document in April 2014, however it considered that this could be dealt with by way of condition and the submission of further details at reserved matters stage.

9.0 CONCLUSION

The proposed development is contrary to the adopted Development Plan, and in terms of the planning balance, the material considerations do not outweigh the identified harm.

The Council has objectively assessed housing need and has identified an adequate 5 year housing supply.

The proposed development will result in a material, identifiable harm to the character and appearance of the land, contrary to the NPPF, and policies CS16, DM3, DM4, DM14 and DM17 of the Core Strategy and Development Management Policies (2009).

The proposed development is not sustainable, the existing schools within the town and nearby villages cannot cater for the additional increase in the number of students, contrary to paragraph 72 of the NPPF and policy CS3 of the Core Strategy and Development Management Policies (2009).

The applicant has offered a number of planning contributions to support their proposal however the application is not supported by a S106 agreement.

Recommendation

That Outline Planning Permission be REFUSED for the following reasons:

1 The site is outside the Shefford Settlement Envelope and is within the open countryside. The development would cause harm to the character and appearance of the area by extending the built environment into the open countryside. The considerations advanced by the applicant are insufficient to overcome this conflict. The development would conflict with the objectives of the National Planning Policy Framework (2012) and policies CS16 (Landscape and Woodland), DM3 (High Quality Development), DM4 (Development Within and Beyond Settlement Envelopes), DM14 (Landscape and Woodland), DM16 (Green Infrastructure) and DM17 (Accessible Greenspaces) of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

2 The proposed development would result in an unacceptable impact on school places for the existing and proposed residents of Shefford, as well as school places in the surrounding villages. As a result the proposal would be unsustainable and contrary to the National Planning Policy Framework (2012), particularly paragraph 72, and policy CS3 (Healthy and Sustainable Communities) of the Core Strategy and Development Management policies (2009).

3 In the absence of a completed legal agreement securing financial contributions and the provision of affordable housing, the development would

have an unmitigated and unacceptable impact on existing local infrastructure and would fail to make an acceptable contribution towards local affordable housing stock. The development would be contrary to the objectives of the National Planning Policy Framework (2012), Policies CS2 (Developer Contributions) and CS7 (Affordable Housing) of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Planning Obligations Supplementary Planning Document (North) (2009).

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

The application is recommended for refusal for the clear reasons set out. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted pro-actively 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.