

Item No. 08

APPLICATION NUMBER	CB/14/03056/FULL
LOCATION	Land at Bedford Road, Houghton Regis
PROPOSAL	Comprehensive development providing 169 residential units (including affordable housing) with associated infrastructure including car parking, drainage, pumping station, hard and soft landscaping, footway/cycleways, children's play space and informal public open space.
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Goodchild & Jones
CASE OFFICER	Louise Newcombe
DATE REGISTERED	01 August 2014
EXPIRY DATE	21 November 2014
APPLICANT	Taylor Wimpey
AGENT	DLP Planning Consultants
REASON FOR COMMITTEE TO DETERMINE	Departure from Development Plan and Town Council objection to a Major application
RECOMMENDED DECISION	That the Development Infrastructure Group Manager be authorised to GRANT planning permission subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, and satisfactory completion of a Section 106 Agreement and subject to conditions.

1. Summary of Recommendation:

- 1.1 The application site is located within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. In line with national planning policy, substantial weight is to be attached to Green Belt harm.
- 1.2 The site is located in an area identified for growth in successive emerging development plans since 2001 and is part of the proposed North Houghton Regis Strategic Allocation in the emerging Development Strategy identified to accommodate the needs of a growing population in the area. In recognition of the lengthy history of policy support for the proposed strategic allocation; the substantial body of evidence from work on previous plans underpinning the overall growth strategy; the strong likelihood of a strategic allocation being formalised as part of the Development Plan in the future; and the recent planning decisions and other committed development within the allocation area, it is considered that the planning context within which the application site sits is such that it would not serve any of the five the purposes of including land within the Green Belt to resist the development on Green Belt grounds. There are also a number of other factors and site specific considerations which weigh in favour of the proposal. Taken together, these factors are considered very special circumstances sufficient to clearly outweigh the harm identified.

- 1.3 The development would represent a meaningful contribution to the delivery of the planned allocation, consistent with the aims of the Houghton Regis (North) Framework Plan.
- 1.4 Subject to suitable mitigation, no significant environmental impacts would result from the proposed development or due to the impact on local services and facilities. In all other respects the proposal is considered to be in conformity with the adopted Development Plan policies, the emerging Development Strategy for Central Bedfordshire, and national policy contained in the National Planning Policy Framework.

2. Site Location

- 2.1 The site is located wholly within the designated Green Belt. It is an open arable field of 6.84 ha currently comprising grassland, unmanaged scrub and trees, located to the north of Houghton Regis, on the eastern side of the A5120 Bedford Road. The site is situated in close proximity to residential development, with the Tithe Farm area of Houghton Regis located to the south and east and with the dispersed settlement of Bidwell located to the north west. The site boundary to the north, east and south consist of a combination of trees and hedgerows. The site is bounded to the south by a row of TPO trees and the Gospel Hall at Dell Mount.
- 2.2 The site exhibits an undulating gradient which generally slopes from the north east to the south west of the site.
- 2.3 The application site is traversed by three public footpaths, known as Footpaths 10, 17 and 45. Footpath 17 crosses the site in an east-west direction, linking to the Tithe Farm area. Footpath 45 connects Bedford Road to the land located to the east of Bidwell, via the application site. Footpath 10 connects Footpath 45 to Bedford Road.
- 2.4 The site is located directly to the south of the recently approved Houghton Regis North (Site 1) outline planning application, which was granted outline planning permission for up to 5,150 dwellings.
- 2.5 The application site is located within the Houghton Regis North Strategic Allocation, as identified in the emerging Development Strategy for Central Bedfordshire. The Houghton Regis North Strategic Allocation has been previously identified in the withdrawn Luton and South Central Bedfordshire Joint Core Strategy, which has been endorsed for Development Management purposes. Due to the location of the application site, it is also subject to the approved Houghton Regis (North) Framework Plan.
- 2.6 In landscape terms the site falls within the National Character Area 110:Chilterns and Bedfordshire and Cambridgeshire Claylands character areas.

3. The Application

3.1 The full planning application is for a comprehensive development providing 169 residential units (including affordable housing) with associated infrastructure including car parking, drainage, pumping station, hard and soft landscaping, footway / cycleways, children's play space and informal public open space.

3.2 Along with the plans, the application is supported by the following documents:

- Design and Access Statement (March 2014)
- Topographical Survey (December 2012)
- Phase 1 Habitat Survey (August 2014)
- Heritage Desk Based Assessment (April 2014)
- Transport Assessment (Travel Plans) (January 2015)
- Environmental Statement and Non-Technical Summary (July 2014)
- Draft Heads of Terms (July 2014)
- Statement of Community Involvement (August 2014)
- Flood Risk Assessment (July 2014)
- Planning Statement (July 2014)
- Landscape Visual Impact Assessment (December 2014)
- Public Art Strategy (July 2014)
- Landscape Management and Maintenance Plan (July 2014)
- Arboricultural Impact Assessment and Arboricultural Method Statement (December 2014)
- Building For Life Assessment (April 2014)

3.3 The planning application was revised following the initial consultation period and following negotiations with Officers. The following details were subsequently submitted:

- Revised Layout
- Swept Path Analysis drawings
- Revised Landscape Management and Maintenance Plan
- Revised Landscape and Visual Impact Assessment
- Tree Protection Plan
- Design Statement for North Houghton Regis Framework Plan
- Arboricultural Impact Assessment and Method Statement
- Revised Soft and Hard Landscape Proposals
- Revised house types
- Revised garage designs
- Revised street scene drawings

4. Relevant Policies

National Planning Policy Framework (NPPF) (2012)

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

- Section 9: Protecting Green Belt land
- Section 10: Meeting the challenges of climate change, flooding and coastal change
- Section 11: Conserving and enhancing the natural environment
- Section 12: Conserving and enhancing the historic environment

South Bedfordshire Local Plan Review Policies (2004)

- Policy SD1 Sustainability Keynote Policy
- Policy BE8 Design Considerations
- Policy H4 Providing Affordable Housing
- Policy T10 Controlling Parking in New Development
- Policy R10 Children's Play Area Standard
- Policy R11 Provision of New Urban Open Space in New Residential Developments
- Policy R14 Protection and Improvement of Informal Recreational Facilities in the Countryside
- Policy R15 Retention of Public Rights of Way Network

(Having regard to the NPPF, the age of the plan and the general consistency with the NPPF, policies SD1, BE8, R10, R11, R14 and R15 are still given significant weight. Other South Bedfordshire Local Plan Review policies set out above carry less weight where aspects of those policies are out of date or not consistent with the NPPF).

Minerals and Waste Local Plan (2005)

- Policy W4 Waste minimisation and management of waste at source

Bedford Borough, Central Bedfordshire and Luton Borough Council's Minerals and Waste Local Plan: Strategic Sites and Policies (2014)

- Policy WSP5 Including waste management in new built development

The Emerging Central Bedfordshire Development Strategy (June 2014)

- Policy 1 Presumption in Favour of Sustainable Development
- Policy 2 Growth Strategy
- Policy 3 Green Belt
- 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 30 Housing Mix
- Policy 31 Supporting an Ageing Population
- Policy 32 Lifetime Homes
- Policy 34 Affordable Housing
- Policy 36 Development in the Green Belt
- Policy 43 High Quality Development
- Policy 44 Protection from Environmental Pollution
- Policy 45 The Historic Environment
- Policy 47 Resource Efficiency

Policy 48	Adaptation
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
Policy 60	Houghton Regis North Strategic Allocation

(Having regard to the NPPF, weight is given to the policies contained within the emerging Development Strategy for Central Bedfordshire, which is consistent with the NPPF. The draft Development Strategy was submitted to the Secretary of State in October 2014 and the Examination Hearings are due to start in February 2015).

Luton and South Central Bedfordshire Joint Core Strategy (2011)

- Adopted by CBC Executive for Development Management Purposes on 23 September 2011

Supplementary Planning Guidance / Other Documents

- Houghton Regis (North) Framework Plan (2012)
- Revised Central Bedfordshire Design Guide (2014)
- Central Bedfordshire Sustainable Drainage Guidance SPD (2014)
- Central Bedfordshire Leisure Strategy (2014)
- Planning Obligations Strategy for Southern Central Bedfordshire (2009)
- Central Bedfordshire and Luton Local Transport Plan 2011-2026 (LTP3)
- Managing Waste in New Developments SPD (2005)
- South Bedfordshire District Landscape Character Assessment (2009)

5. Planning History

There is no direct planning history relevant to this site however the following application relates to neighbouring land to the north and east of the application site that also forms part of the proposed North Houghton Regis Strategic Allocation:

CB/12/02613/OUT	Up to 5,150 dwellings (use class C3); up to 202,500 sqm gross of additional development in use classes: A1, A2, A3 (retail), A4 (public house), A5 (take away); B1, B2, B8 (offices, industrial and storage and distribution); C1 (hotel), C2 (care home); D1 and D2 (community and leisure); car showroom; data centre; petrol filling station; car parking; primary substation; energy centre; and for the laying out of the buildings; routes and open spaces within the development; and all associated works and operations including but not limited to: demolition; earthworks; engineering operations. All development, works and operations to be in accordance with the Development Parameters Schedule and Plans. Outline planning permission (HRN1).
-----------------	--

Luton Borough Council was subsequently granted permission to apply for Judicial Review in respect of this development. However, the claim was dismissed in the Court Judgement dated 19/12/2014. The appeal process in relation to the Judgement

is currently ongoing.

On land to the west of the application site on the opposite site of Bedford Road at Land to the rear of The Old Red Lion the following application is currently under consideration and included on the same Committee Agenda as this application:

CB/14/03047/OUT Development of up to 62 dwellings, access, public open space and other associated works on land to the rear of the Red Lion Public House, to the west of Bedford Road, Houghton Regis

6. Representations

Parish & Neighbours

Houghton Regis Town Council

Original comments:

The Town Council objects on the following grounds:

- The application is not in accordance with the Houghton Regis Strategic Urban Extension Plan. The site had been identified as part of the green open space network with Bidwell to remain like a hamlet.
- The development would be in conflict with the Houghton Regis (North) Framework Plan.
- The development would conflict with the Green Belt plan.
- The development would greatly increase traffic on an already busy road. The development would lead to many junctions in close proximity to each other.
- It is believed that the land contains a number of springs.
- Bedford Road is not wide enough to accommodate bus stops. Lay-bys will need to be created.
- Separate access from Bedford Road for 5 dwellings is inappropriate and will add to the number of junctions, increasing traffic problems.
- The housing mix is unacceptable – 40% of the development being four bedroom properties is too high.
- Access to the school is in the wrong place.

Comments following receipt of revised documents:

The Town Council objects on the following grounds:

- The application is not in accordance with the Houghton Regis Strategic Urban Extension Plan. The site had been identified as part of the green open space network with Bidwell to remain like a hamlet.
- The development would be in conflict with the Houghton Regis (North) Framework Plan.
- The development would greatly increase traffic on an already busy road. As the development proposes two

access points, there would be six junctions as a result.

- Bedford Road is not wide enough to accommodate a roundabout to act as a traffic calming measure.
- If bus lay-bys will not be created then the bus stops would add further traffic congestion.
- The housing mix is unacceptable – 40% of the development being four bedroom properties is too high.
- Access to the school is in the wrong place.

Neighbours / Others: Representations from 4 neighbouring properties / interested parties have been received as detailed below.

Representation on behalf of Bidwell Gospel Hall Trust:

- Object due to omission of tree report and method statement relating to the protection of the trees on the southern boundary, absence of indication of boundary treatment, no acknowledgement that the trust premises are in daily use and it will be essential to protect the amenities of future occupiers of the proposed properties through adequate screening and separation
- Refer to tree protection measures, appropriate boundary treatment, and ensuring adequate precautions are taken relating to noise.

Representation from Optimis Consulting Ltd (September 2014) :

- Consider that the extensive site history as well as the existing HRN1 consent proves that exceptional circumstances exist to release this land from the Green Belt
- Very Special Circumstances can be demonstrated given this progress of bringing forward land within the allocation
- Location identified as potentially contributing to housing delivery and separately identified as contributing to delivery
- Residential development at this location should be supported
- The proposals will significantly assist in the early delivery of housing within the overall allocation
- Proposals will make a significant contribution to defining the character and improving amenity in the immediate area and the route along Bedford Road
- Suggests that the Council fully addresses the proposed extent of the 30mph speed limit and gateway feature and the provision of pedestrian access along the full boundary of the application

site along Bedford Road

Representation from resident at 8 Roslyn Way:

- Transport Assessment within the application seems to ignore enforceable traffic calming measures on the Bedford Road from High Street junction northwards towards the site.
- Excessive speeding is common place, flashing 30mph signs are ineffective, measures need to be taken to force drivers to comply with set speed limits

Representation from 91 Churchfield Road:

- No real objections to the building of the new dwellings, hope the area and trees immediately behind their property will be pollarded to assist the maintenance

Consultations/Publicity responses:

This table summarises the responses received which can be viewed in full on the planning application file.

CBC Archaeology	The development will not affect the significance of either the heritage assets with archaeological interest or any of the designated heritage assets and therefore no objection raised
Buckingham and River Ouzel Internal Drainage Board	The site is outside the Board's district. Confirmation should be sought from Anglian Water that a suitable surface water sewer exists and can satisfactorily accommodate the additional flows from the site
CBC Countryside Access Service (CAS)	Raised queries regarding future maintenance of open space, SUDS design and maintenance, public art maintenance, limited provision of open space within the development, does not fit the criteria for CAS to maintain in the future
CBC Sustainable Drainage Engineer	Echoes the Environment Agency's comments that a more sustainable approach to the management of surface water on site would have been preferred to the use of underground storage crates. Given the restrictions on permeability and topography and that there is compliance with Anglian Water's

	<p>preferred run off rate this is still a viable solution.</p> <p>The ponds should be sufficient to mitigate flood risk posed through exceedance of the crates.</p> <p>The developer should make provisions to ensure maintenance plans are provided for any private source control components, such as the areas of permeable paving, and that future owners will be made aware of their role.</p>
CBC Ecologist	<p>No objection to the proposals. Comments made regarding concern over hedgerows within rear gardens, bat and bird nesting, lighting, suggestions made for tree species and comments received on the suitability and management of the open space.</p>
CBC Education	<p>Education contribution required for early years, primary and secondary levels.</p>
Environment Agency	<p>Removed their original objection following receipt of further information. Note that Anglian Water have accepted the run-off rates.</p>
Highways Agency	<p>No objection. The housing numbers proposed as part of this development and therefore the trip rates have already been taken into account and assessed as part of the Houghton Regis development Framework. Therefore no comments.</p>
CBC Highways	<p>No objection.</p> <p>Subject to a suitable contribution towards the Woodside Link and conditions, in traffic generation terms no objection is raised.</p> <p>The proposed layout is acceptable and minor amendments or omissions can be dealt with through conditions</p> <p>The proposed access arrangement and traffic management features are sound subject to detail design and safety audit.</p>
CBC Housing Development Officer	<p>No objection to provision of 30% affordable homes. Suggests a tenure split of 63% affordable rent and 37% intermediate tenures to be dispersed</p>

	through the site.
CBC Landscape Officer	<p>No objections to the principle of development on this site. Concerns raised regarding:</p> <ul style="list-style-type: none"> - Conformity with the Framework Plan – green infrastructure corridor enhancement between Bidwell and Houghton Framework needs to be included / embraced, the landscape corridor offset along Bedford Road needs to be wider with development set back, GI links across the site need to be indicated - The landscape character assessment of areas - Wider visual and landscape impacts - Inclusion of boundary trees and planting within rear gardens - Boundary planting reinforcement and screening of site - Pumping station integration - Compliance with the CBC Design Guide - SuDS proposals and POS provision
CBC Leisure, Play and Open Space	<p>Sets out the open space requirements for this development in accordance with the Leisure Strategy and Standards Details of the play area to be finalised. Contributions sought for off-site provision of indoor sports, outdoor sports and green infrastructure.</p>
CBC Local Transport Plan	No comments received
Luton Borough Council	No comments received
NHS England	<p>Welcomes the opportunity for health needs from the development to be part of a legal agreement. Details provided regarding the existing practice and needs generated from the proposed development. Calculations are provided for a financial contribution.</p>
CBC Planning Policy	No objection – accords with the Framework and there may be very special circumstances that outweighs the harm to the green belt.

CBC Public Art	No objection. Detailed comments provided on the submitted Public Art plan. To be secured through imposition of condition.
CBC Public Protection	No objection subject to a condition for an acoustic assessment and noise attenuation measures where required to address road traffic noise concerns from Bedford Road for internal and external areas of dwellings.
CBC Rights of Way	Welcomes that the development proposes to provide the Public Footpaths through the open space and retain the links to the existing housing of Houghton Regis and future development as part of HRN1. Proposed crossing of Bedford Road is welcomed. Need to control surfacing and future maintenance through condition or Legal Agreement.
CBC Sustainable Growth	No objection subject to conditions for energy efficiency measures.
CBC Sustainable Transport	No objection subject to securing cycle parking and travel plan details and contributions to sustainable transport within the Legal Agreement.
SUSTRANS	No comments received
CBC Trees and Landscape	After originally requesting an Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Constraints Plan to support the application, the following comments were raised: <ul style="list-style-type: none"> - Relationship of large trees in proximity to properties can cause future conflict - Rear gardens incorporating hedgerows has not been addressed - Drawbacks of particular tree species - No concerns regarding the statements submitted.
CBC Waste	Refer to Council waste management for new development documents, seeks

	adequate storage, collection and tracking for waste. Contributions for waste containers required from flats and dwellings.
--	--

7. Determining issues

The main determining issues for the application are considered in the following sections;

1. Compliance with the Adopted Development Plan for the Area
2. Compliance with the National Planning Policy Framework
3. The weight applied to the Luton and South Bedfordshire Joint Core Strategy
4. The weight to be applied to the emerging Development Strategy for Central Bedfordshire
5. Compliance with the Houghton Regis (North) Framework Plan
6. The Green Belt and assessment of the potential “very special circumstances” that may arise
7. Environmental Statement
8. Design
9. Access and Transport
10. Trees and Landscape (including open space)
11. Socio-economic impacts
12. Impact on Historic Environment
13. Ecology and biodiversity
14. Ground conditions and contamination
15. Noise and pollution
16. Flooding and drainage
17. Energy efficiency
18. Waste
19. Utilities
20. Infrastructure requirements and planning obligations

8. Consideration of issues

8.1 Compliance with the Adopted Development Plan for the Area

- 8.1.1 As set out within the Planning and Compulsory Purchase Act 2004 (section 38(6)) and the Town and Country Planning Act 1990 (section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraphs 2, 11, 196 and 210 of the NPPF. The development plan is defined in section 38(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.
- 8.1.2 The Development Plan for this area comprises the South Bedfordshire Local Plan Review (SBLPR) 2004, the Minerals and Waste Local Plan (2005), and Bedford Borough, Central Bedfordshire and Luton Borough Council’s Minerals and Waste Local Plan: Strategic Sites and Policies

(2014).

- 8.1.3 The site falls within the Green Belt defined by the proposals map for the South Bedfordshire Local Plan Review 2004. Within the Green Belt no exception for major development is made and the proposal is therefore inappropriate development in the Green Belt. This is the fundamental land use issue in relation to both the Development Plan and the NPPF and is dealt with in full in Section ?? of this report. All other relevant policy considerations under the Development Plan are addressed below.
- 8.1.4 Policy BE8 lists a number of design considerations that development should generally take into account. The submitted layout, landscaping and house types will result in a residential development that will achieve a high quality design relating well to its context and the surrounding area. This is discussed in further detail in Section ?? of this report. The application is therefore considered to be compliant with Policy BE8.
- 8.1.5 Policy H4 sets out the terms of the provision of affordable housing and requires that such provision will be sought from developments of over 1 hectare in size. Planning obligations are required to ensure that, amongst other matters, occupancy is restricted to people in need within South Bedfordshire. No specific target amount is included within the policy, though there is an indicative target level stated in the supporting text of the policy of 20%.
- 8.1.6 This policy was established before 2004 and before the substantial work that was undertaken in preparation of the subsequent Luton and South Bedfordshire Core Strategy (withdrawn but adopted by CBC for Development Management purposes in 2011) and as taken forward by the emerging Central Bedfordshire Development Strategy. Recent work for the Development Strategy supports a requirement of around 30% of affordable housing within new developments. Therefore this policy is considered to be out-of-date and it is recommended that limited weight is afforded to Policy H4 in respect of occupancy and the indicative affordable housing target.
- 8.1.7 Policy T10 sets out the considerations that apply when looking at the provision of car parking in new developments. Revised parking standards are contained within the Central Bedfordshire Design Guide which was adopted as technical guidance for Development Management purposes in March 2014. For these reasons, it is considered that very little weight should be given to Policy T10.
- 8.1.8 Policies R10 and R11 set out the requirements for play areas and formal and informal open spaces. The standards set out in the Central Bedfordshire Leisure Strategy which was adopted as technical guidance for Development Management purposes in March 2014 supersede previous requirements set out within Policies R10 and R11 and the weight to be attached to the standards in Policies R10 and R11 is diminished. The provision of play areas and open space is appraised in Section ?? below.
- 8.1.9 Policy R14 seeks to improve the amount of informal countryside recreational facilities and spaces, including access, particularly close to

urban areas. The policy is directly relevant to the planning application site and should be afforded substantial weight in reaching a decision. The application has identified the existing rights of way, opportunities for enhancements to the network and new connections which can be provided through the development to improve recreational access to the countryside. The proposal therefore complies with the requirements of Policy R14.

- 8.1.10 Policy R15 seeks the retention of the existing public rights of way. There are three public footpaths that cross the site and others within proximity. Diversions of the footpaths and enhancements are planned for in connection with the development and the treatment of, and maintenance of these routes can be secured to meet the aims of this policy.
- 8.1.11 Policy W4 of the Minerals and Waste Local Plan relates to minimising waste generated as part of the development. This is echoed in policy WSP5 which relates to waste management in new built developments which seeks sufficient and appropriate waste storage and facilities in all new developments. A Construction Management Plan can secure by condition, the details of excavated material re-use within the site where possible and the layout provides for adequate collection areas and provision for turning for collection vehicles. A financial contribution has been agreed by the applicants towards providing waste receptacles for all dwellings and can be secured through legal agreement. As such the proposed development is considered to be compliant with these waste policies.

8.2 Compliance with the National Planning Policy Framework

- 8.2.1 For the reasons set out in the previous section, it is necessary to consider this planning application against the NPPF as a significant material consideration. In the following paragraphs, the proposal is considered against each relevant statement of NPPF policy.

Building a strong, competitive economy

- 8.2.2 The development of housing and the provision of appropriate infrastructure alongside support for local shops and services and employment relating to the construction of the development contribute to building a vibrant economy for Houghton Regis.

Promoting sustainable transport

- 8.2.3 The application has been submitted with a supporting Transport Assessment and Travel Plan. The site is well related to the local highway network with convenient access to the M1, Luton and Dunstable by car. There are public transport routes along Bedford Road and in proximity to the site there is a link to the Luton and Dunstable guided bus link.

Suitable contributions are proposed towards provision and enhancement of strategic level highways works, public transport, footpath and cycleway network improvements and traffic calming along Bedford Road.

Delivering a wide choice of high quality homes

- 8.2.4 The Design and Access statement sets out the mix of housing types and detailed plans of all the proposed house types have been submitted with the application. A range of dwelling sizes and types are proposed. 30% of housing on site is proposed to be affordable which assists in the provision of homes for all. There are no development viability constraints which prevent full policy compliant Affordable Housing in this case and this would be secured through an appropriately worded Legal Agreement.

Requiring good design

- 8.2.5 The application includes a comprehensive Design and Access Statement which has been informed through detailed discussions with officers. Aspects of the detailed design proposals are assessed below.

Promoting healthy communities

- 8.2.6 The provision of hard and soft landscaping, footways/cycleways, play space and informal public open space on site is proposed. These areas are considered appropriate to the scale of the proposals, having regard to the site's location in relation to existing facilities and services in the area. Appropriate financial contributions are sought for green infrastructure of a more strategic scale and in order to mitigate for the impact of the development on facilities and services such as schools, healthcare, local sports and leisure facilities, community facilities and emergency services.

Protecting Green Belt land

- 8.2.7 This is part of the core planning principles set out within the NPPF. Within the Green Belt there is a presumption against residential development which is considered inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Meeting the challenge of climate change, flooding and coastal change

- 8.2.8 The NPPF seeks to support the move towards a low carbon future by planning for new development in locations and ways which reduce greenhouse gas emissions and actively supporting energy efficiency consistent with national described standards.

- 8.2.9 The submitted Design and Access Statement sets out that the scheme has been designed to enable a minimum Code for Sustainable Homes Level 3 which helps tackle the causes of climate change and that all dwellings are designed in accordance with Building Regulations Part L. Responsibly sourced, sustainable materials are also detailed.

- 8.2.10 The application site and its immediate surroundings lie within Environment Agency Flood Zone 1. All sources of flooding have been considered within the submitted Flood Risk Assessment and the site will not be at risk of flooding or exacerbate the risk of flooding to third parties. The drainage strategy for the development is also in accordance with the hierarchy for sustainable surface water disposal.

Conserving and enhancing the natural environment

- 8.2.11 The application was submitted with comprehensive documents detailing

landscaping and biodiversity. Various proposals for landscape and biodiversity are included within the proposed development to conserve and enhance the natural environment.

Conserving and enhancing the historic environment

8.2.12 The application has considered the potential impacts on the historic environment and there will be no more than a negligible adverse impact on these assets.

8.3 The weight applied to the Luton and South Bedfordshire (L&SBDC) Joint Core Strategy

8.3.1 The L&SBDC Joint Core Strategy was prepared by the Luton and South Bedfordshire Joint Committee in the period between 2007 and 2011. It sought to replace the strategic element of the South Bedfordshire Local Plan and Luton Borough Plan and to take forward the growth agenda promoted for this area through the East of England Regional Plan and associated policy documents. The Joint Core Strategy was submitted for Examination and part of that process was completed before the document was ultimately withdrawn in 2011 on the grounds that Luton Borough Council no longer wished to pursue its adoption. However the evidence that supported the Joint Core Strategy remains supportive of the growth agenda for the area.

8.3.2 For this reason, Central Bedfordshire Council endorsed the L&SBDC Joint Core Strategy and its evidence base as guidance for Development Management purposes on 23rd August 2011 and has incorporated the majority of this work within the new Central Bedfordshire Development Strategy. As Development Management guidance, the Joint Core Strategy does not carry the same degree of weight as the adopted Development Plan but is a material consideration in the assessment of this application.

8.3.3 The details of the endorsed policies are not dealt with in this section as relevant aspects of the Joint Core Strategy are dealt with in greater detail elsewhere in this report including in the next section dealing with the emerging Development Strategy for Central Bedfordshire.

8.4 The weight to be applied to the emerging Development Strategy for Central Bedfordshire

8.4.1 The Central Bedfordshire Development Strategy document has been submitted to Secretary of State 24 October 2014 with the first Examination hearings scheduled for early February and later ones for April this year.

8.4.2 The Development Strategy is not yet adopted policy and does not currently form part of the Development Plan but as submitted deals with the development needs for the area beyond the period of the currently adopted Development Plan, the SBLPR (2004). The Development Strategy also seeks to be consistent with the NPPF. To that end, it is considered that its housing supply policies that define a required quantum of development and policies regarding new infrastructure to support development and its delivery are more up-to-date and should be given greater weight than those

equivalent to or missing from the adopted SBLPR (2004) and the L&SBDC Joint Core Strategy.

- 8.4.3 Policy 60 of the emerging Development Strategy specifically sets out the requirements for the Houghton Regis North Strategic Allocation. The application site lies within Site 1 of 2 identified in the policy.
- 8.4.4 The policy also details opportunities to assist Houghton Regis through the delivery of supporting infrastructure including items such as new transport routes and green infrastructure.
- 8.4.5 The planning application conforms closely to the Council's policy direction in this regard and the site forms part of the significant urban extension to Houghton Regis that the Council considered a key part of its Development Strategy. The planning application has been designed to integrate with the existing settlement and align closely with the details of this policy, and it is appropriate to conclude that the planning application has taken full account of this policy and is broadly compliant with it for reasons set out below.
- 8.4.6 The compliance of the proposed development with other policies is discussed in the detailed consideration of issues below.

8.5 Compliance with the Houghton Regis (North) Framework Plan

- 8.5.1 The Council prepared and adopted the Houghton Regis North Framework Plan for Development Management purposes in October 2012. The Framework Plan drew from the evidence base produced for the previously withdrawn L&SBDC Joint Core Strategy and from the work then underway for the Development Strategy for Central Bedfordshire. It provides a broad framework for the urban extension to assist potential developers in formulating subsequent planning applications and is a material consideration in determining these.
- 8.5.2 The vision for the development set out in the Framework Plan seeks to ensure that any development connects with its surroundings, helps form new communities, contributes to a sustainable future, emphasis design, provides new business and employment opportunities and protects and enhances the area. A Plan was developed to show where the main elements of development and supporting infrastructure (roads, community facilities, open space areas, schools, commercial areas, housing etc) were potentially to be located.
- 8.5.3 Houghton Regis Town Council has raised objection in principle to development on this site on the grounds that development in this location is not in accordance with the Houghton Regis (North) Framework Plan however no detail has been provided as to how it is considered it does not accord.
- 8.5.4 The proposal is considered to be broadly in accordance with the Houghton Regis North Framework Plan by providing open space within the western part of the site adjacent to Bedford Road and by responding to the local footpath network to provide links through the site. The open space and

landscaping is considered to accord with the network of Green Infrastructure shown on the Plan to provide connections and access to the countryside and other future development areas. The built development is set back from the frontage of the site to form a swathe of green corridor tapering the amount of development close to the settlement edge allowing a transition of open space and green frontage thereby creating a gateway to the development and Houghton Regis.

8.6 The Green Belt and assessment of the potential “very special circumstances” that may arise

8.6.1 Paragraph 83 of the NPPF states:

“...Once established Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of a local plan.”

8.6.2 In the Judgement handed down 19 December 2014 by the Judge in the recent HRN1 Judicial Review case held that this paragraph may be a material consideration in considering whether the proposal should be refused on the grounds of prematurity (in advance of the emerging Development Strategy in this case).

8.6.3 The emerging Development Strategy has been submitted for examination but has not yet been adopted. Government guidance contained within the National Planning Practice Guidance advises that, in the context of the NPPF and the presumption in favour of sustainable development, prematurity is unlikely to justify the refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

8.6.4 The application site forms part of a larger proposed allocation which comprises a key element of the housing provision and overall growth strategy planned to accommodate the needs of a growing population in the area. Delaying a decision or refusing the planning application on Green Belt grounds until the adoption of the Development Strategy and the formal confirmation of the planning allocation in the Development Plan would serve no good purpose, other than to delay much needed housing. In relation to this specific application, the development proposed is not so substantial that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development. It is considered that the proposed development does not meet the tests for constituting premature development (set out in the Planning Practice Guidance) that should be refused planning permission in light of its scale and relationship with the adjacent HRN1 permission.

8.6.5 Section 9 of the NPPF and specifically paragraphs 87, 88 and 89 provide that within the Green Belt all development is inappropriate (and thus can be permitted only in ‘very special circumstances’) unless it is one of the types of development or buildings set out as exceptions. The residential development proposed through this application does not qualify as one of the exceptions set out within the NPPF and therefore is considered to

constitute 'inappropriate development'.

The harm to the Green Belt caused by the 'inappropriate development' proposed

8.6.6 The site subject of this planning application lies wholly within the approved Green Belt for the area. Policy 60 of the emerging Development Strategy proposes that the Green Belt in the area to the north of Houghton Regis and south of the proposed new A5-M1 link road is removed to make way for the proposed urban expansion. There is a substantial body of evidence through that process which has concluded that it is appropriate to remove the Green Belt designation in this area to allow for the urban expansion within which the application is set. However, this policy is not yet in place.

8.6.7 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belts serve five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns;
- and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

8.6.8 The following sets out an assessment of the value of the application site in terms of the five purposes of the Green Belt and the degree to which the proposal would conflict with or support these.

- *To check the unrestricted sprawl of large built-up areas*

8.6.9 The site adjoins the existing settlement boundary of Houghton Regis. The site also shares its countryside boundary with that of the HRN1 development. It is considered that the site sits at the edge of the wider area which forms an almost seamless urban conurbation comprising Luton, Dunstable and Houghton Regis. Development of this site will not significantly alter that character and does not result in harm by significant sprawl of this large built-up area. Within the context of the proposed Strategic Allocation including the other planned and committed development within the allocation area, the site would no longer serve any Green Belt value in terms of preventing the sprawl of the existing large built-up area.

- *To prevent neighbouring towns merging into one another*

8.6.10 The HRN1 development and proposed allocation of the Houghton Regis North site (as set out in the Framework) sets a clear edge to Houghton Regis. This site will not result in harm through the merging of neighbouring towns.

- *To assist in safeguarding the countryside from encroachment*

8.6.11 As stated above, the site, whilst currently comprising a rural fringe agricultural field would, with consideration to the planning permission for development of the land to the north and north west as part of Houghton Regis North 1 development, constitute a field surrounded by development. The site would be bounded by the existing built form of Houghton Regis and the consented development of site HRN1. The application site in the future will most likely be substantially visually enclosed through the development of this site and therefore not likely to result in significant harm through encroachment. However, on the basis that HRN1 is not yet implemented or developed, the proposed development will encroach upon the countryside and will be harmful to the Green Belt on this basis.

- *To preserve the setting and special character of historic towns*

8.6.12 It is not considered that the historic setting and special character of Houghton Regis and any of its heritage assets would be affected by the proposed development. The site is also adequately separated from nearby Grade II listed buildings to ensure their settings and special character is preserved. As such there is no special character that would be harmed by this development.

- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land*

8.6.13 The Luton/Dunstable/Houghton Regis conurbation does contain areas where urban regeneration is encouraged and where economic renewal is of particular importance. These areas were identified in the former Luton and South Bedfordshire Core Strategy and regeneration of those areas remain important objectives in current and emerging policy documents. This includes the areas also covered by Master Plans at Houghton Regis and Dunstable Town Centres.

8.6.14 This additional site is part of the wider North Houghton Regis allocation that addresses housing need for the local and wider Council area which is outside the existing urban area.

8.6.15 Development of this site would reduce the need to develop other greenfield sites and therefore encourage the recycling of derelict and other urban land.

8.6.16 It is not considered that the proposed development would cause harm to this Green Belt objective to assist urban regeneration

8.6.17 The proposal would be harmful to the Green Belt due to its inappropriateness, and its impact on openness as it would presently involve development outside of the existing built-up area, encroaching into the existing countryside.

Other harm:

8.6.18 The site is currently an open arable field and is identified as grade 3 agricultural land. This is land with moderate limitations. The Agricultural Land Classification system classifies land into five grades. The best and most versatile land is defined as Grades 1, 2 and 3a. The NPPF within paragraph 112 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land in preference to that of a higher quality should be sought. It is considered that the loss of this area of agricultural land would constitute only minor harm.

8.6.19 The site is visible in public views from Bedford Road and from the surrounding public rights of way. The development would result in the loss of openness of the site which constitutes 'other' harm to be considered in the assessment of the proposed development.

8.6.20 The NPPF states:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

8.6.21 It is therefore necessary to consider whether very special circumstances exist which are sufficient to clearly outweigh the harm to the Green Belt identified. This is the primary decision that the Council will need to reach before considering other material considerations.

Do ‘very special circumstances’ exist?

8.6.22 The Agents set out within their Planning Statement the following as very special circumstances in this case to be considered in view of outweighing the harm to the Green Belt:

- There is clear need for development of land in the Green Belt outlined through the successive emerging Development Plans created since 2001 which have identified the area in which the application site is located as being suitable for removal from the Green Belt through the redrawing of the Green Belt boundary around the allocation. The Joint Core Strategy was not abandoned due to any disagreement between the joint Councils regarding the suitability of the allocation or its removal from the Green Belt.
- There has been a continued commitment by the Local Planning Authority to the development of the Houghton Regis urban extension through the production of the Houghton Regis North Framework Plan in 2012, which was adopted for Development Control purposes in advance of the adoption of the emerging Development Strategy.
- Outline planning permission has been granted for the HRN1 allocation.

- If the subsequent Development Plan documents had reached adoption stage, then the application site would already have been allocated for residential development and removed formally from the Green Belt. Delay or refusal of the application on Green Belt grounds until the adoption of the emerging Development Strategy and the formal confirmation of the planning allocation will only delay much needed housing delivery.
- The proposed development accords with the Council's broad objectives in relation to housing delivery.
- The proposed development can be successfully integrated with the existing settlement and the future urban extension northeast of Bedford Road.
- The development and uses proposed can be delivered independently from the wider allocation including affordable housing and improvements to the surrounding public access network.
- The development includes significant community benefits by providing an improved footpath network connecting to HRN1 and the centre of Houghton Regis, a crossing to the adjacent Public House and HRN2 development and improved access through to Tithe Farm Primary School.
- The site is within a sustainable location and does not require strategic infrastructure to make it sustainable
- The development proposal is available now, deliverable within 5 years and viable. The viability is such that the development proposal seeks to provide policy compliant affordable housing.

Do such circumstances 'clearly outweigh' the potential harm caused by the inappropriateness of the development and any other harm?

Evolution of planning policy

8.6.23 As noted, the site is located in an area identified for growth in successive emerging development plans since 2001 and is part of the site allocation for North Houghton Regis in the emerging Development Strategy to accommodate the needs of a growing population in the area. It is acknowledged that there is a substantial body of evidence from work on previous plans underpinning the overall growth strategy. Notwithstanding the current status of the emerging Development Strategy, there is considered a strong likelihood of a strategic allocation being formalised as part of the Development Plan in the future.

8.6.24 Within this context, outline planning permission has been granted for the development of the largest parcel of the proposed HRN allocation (HRN1). This permission has been upheld in a Court judgement relating to Luton

Borough Council's application for Judicial Review. Whilst the appeal process in respect of this decision is ongoing, at the present time the HRN1 planning permission still stands and establishes that Green Belt land north of Houghton Regis can be developed. The planned A5/M1 link road and Woodside Link road projects were formally approved by the Secretary of State for Transport approved with the granting of Development Consent Orders in September 2014. Preliminary works in relation to the A5/M1 link road have now commenced. The application site is also closely related to the development of Bidwell West which comprises the largest land parcel forming part of HRN Site 2. An outline hybrid planning application in respect of Bidwell West has now been submitted (January 2015).

- 8.6.25 The recent planning decisions and other committed development within the allocation area have also altered the planning context within which the application site sits. This is an important consideration in terms of the very special circumstances test.

Housing need

- 8.6.26 In line with the NPPF, there is a need to boost significantly the supply of housing. Taken as an individual consideration, housing need is not an overriding factor sufficient to clearly outweigh Green Belt harm. However given the emphasis placed within the NPPF on the need to boost significantly the supply of housing this is an important consideration in terms of the very special circumstances test.

Other circumstances put forward

- 8.6.27 The applicant's case for very special circumstances refers to the site being able to be delivered independently from the wider allocation and includes the provision of affordable housing, improvements to the public access network and significant community benefits.
- 8.6.28 Subject to any development viability considerations, all developments within the proposed allocation would be required to provide appropriate contributions to mitigate their individual impact on infrastructure and support the delivery of the wider planned application. This is a policy requirement under emerging Policy DSCB 60. Where aspects of individual developments would fulfil baseline policy requirements, these should not be considered very special circumstances to outweigh Green Belt harm. In particular, a scheme of access and highways improvement works along Bedford Road and funding to mitigate the impact of planned development on infrastructure provision would be required in any event as part of the proposed urban extension.
- 8.6.29 It is accepted that the site is in a sustainable location which is accessible to local centres and existing facilities and services. Whilst this is relevant to the allocation of the wider HRN site as a strategic development site, in the context of the current proposal it is not the case that Green Belt considerations should be outweighed by the broader, general presumption in favour of sustainable development under national and local planning policy.
- 8.6.30 The availability, deliverability and viability of the proposed development of

this site is a positive aspect of the application but one that is not afforded significant weight compared to the Green Belt harm.

8.6.31 The loss of this site as agricultural land would only constitute minor harm that is not afforded significant weight.

8.6.32 It is therefore considered that these other circumstances carry very limited weight in the very special circumstances test.

Conclusion:

8.6.33 The proposed development would give rise to limited Green Belt harm due to its inappropriateness. Under the terms of the NPPF, substantial weight is to be attached to any Green Belt harm.

8.6.34 However in this case, in recognition of the lengthy and continued policy support for the proposed HRN allocation; the substantial body of evidence from work on previous plans underpinning the overall growth strategy; the strong likelihood of a strategic allocation being formalised as part of the Development Plan in the future; and the recent planning decisions and other committed development within the allocation, it is considered that the circumstances set out above have altered the planning context within which the application site sits such that it would no longer serve any of the five purposes of including land within the Green Belt (NPPF paragraph 80) to resist the development within the allocation area on Green Belt grounds.

8.6.35 There are also a number of other factors including the provision of a policy compliant level of affordable housing, improvements to the public access network and significant community benefits which weigh positively in favour of the proposal. The site specific issues are discussed below in this report.

8.6.36 Taking all of the factors set out cumulatively, it is considered that very special circumstances exist which are sufficient to clearly outweigh the Green Belt harm identified.

8.7 The Environmental Statement

8.7.1 As noted in the Section 3 of this report the planning application has been accompanied by an Environmental Statement (ES). The ES was scoped formally by the Council in a letter dated 13 December 2013.

8.7.2 The ES is considered to assess each issue satisfactorily for the purposes of the 2011 Regulations. Clearly it is for the Council to consider whether it agrees or disagrees with the conclusions reached in each part of the ES and then to assess the impacts arising against planning policies and material considerations. This is undertaken under each specific issue considered in this report.

8.8 Design

8.8.1 The proposed development would provide a range of two, two and a half

and three storey properties. The density would be slightly lower than the adjoining residential development on the Tithe Farm estate, at approximately 30 dwellings per hectare, when considering the developable site area. Red and brown brickwork, with occasional instances of light coloured paint and render and dark coloured weather boarding are identified as the proposed construction materials.

- 8.8.2 The development would take design cues from the surrounding residential development, as identified in the Design and Access Statement. As the surrounding area is not considered to have significant design or architectural merit, the applicant has used local villages for additional design elements.
- 8.8.3 The proposed dwellings would respond to the topography of the land, taking into account the position of existing footpaths. The development would also integrate several established tree buffers to the south and west of the site.
- 8.8.4 The site has a steep, undulating landscape, which typically allows views out of the site to the north and west, towards land identified within the Houghton Regis North Strategic Allocation. Due to the steep nature of the site there are no significant views into the site.
- 8.8.5 The layout of the development would create a clear street hierarchy, with prominent vistas, which will provide highly legible routes with views terminated by larger buildings, connected to small cul-de-sacs. The secondary routes would also be adoptable as shared space. The layout of the development would create public access routes with high levels of natural surveillance. The combining of the main pedestrian and vehicular access routes also serves to limit opportunities for crime. The layout of the site is also considered to allow access for disabled and elderly persons, and for those with prams and pushchairs, through all public areas within the site.
- 8.8.6 The eastern boundary of the site would be approximately 11.0 metres away from the nearest residential property along Churchfield Road/Dell Road. The rear gardens of the proposed dwellings would provide an additional gap between the proposed and existing development. The tree buffer along this boundary will be largely retained, reducing any impact in terms of being unduly overbearing or in terms of privacy to neighbouring residents
- 8.8.7 The western boundary of the site borders Bedford Road for approximately 270.0 metres. The remaining section of the western boundary of the site is located to the east of a row of dwellings along Bedford Road, including No.1 to No.6 Bedford Road and Highfield House. The proposed dwellings would be at set back by at least 20.0 metres from the existing residential development.
- 8.8.8 The southern boundary would border the Gospel Hall. A tree belt is located on the boundary of the site. This row of trees will be retained, providing a buffer between the sites. The Gospel Hall is located approximately 11.5 metres from the boundary of the application site.

8.8.9 The detailed layout of the proposed development identified that the development would provide sufficient back to back distances to preserve the amenity of residents within the site and in adjoining residential areas. The development would provide adequate garden sizes.

8.8.10 In summary the proposal is in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 43 of the emerging Development Strategy for Central Bedfordshire. The design accords with the Revised Central Bedfordshire Council Design Guide (2014) and would not result in a detrimental impact upon the character and appearance of the area or the street scene and no significant detrimental impact on residential amenity of future or existing occupiers. As such the design is considered acceptable.

8.9 Access and Transport

8.9.1 National and local planning policy relating to transport and access promotes sustainable development which should give priority to pedestrian and cycle movements, have access to high quality public transport initiatives, create safe and secure layouts and minimising journey times.

8.9.2 Paragraph 32 of the NNPF states that where developments generate significant amounts of movement, decisions should take account of whether opportunities for sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes on to state that: “development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.”

8.9.3 This section of the report details the existing transport and baseline situation (i.e. the existing transport conditions), related key strategic transport schemes and the proposed development transport impacts.

○ *Existing transport / baseline situation:*

8.9.4 The site is located off the A5120 Bedford Road which is a single carriageway road with a speed limit of 40mph from the current northern urban edge of Houghton Regis. The site is currently in agricultural use and, as such generates minimal traffic.

8.9.5 Three junctions situated within close proximity to the site were identified by the Local Highway Authority for assessment and thus constituting the local highway network of interest: -

- Junction 1 – Bedford Road / Thorn Road – Simple priority junction;
- Junction 2 – Bedford Road / High Street – Mini roundabout;
- Junction 3 – Tithe Farm Road / High Street / The Green – Mini roundabout

- 8.9.6 It is acknowledged within the submitted Transport Assessment that the planned construction of the A5-M1 Link Road and Woodside Link (scheduled for construction in 2015-17), will lead to a significant change in traffic patterns experienced on the local highway network and that congestion experienced on Bedford Road and High Street is expected to decrease as a result
- 8.9.7 The operational highway assessment for all three junctions demonstrates they are currently operating above their theoretical capacity limits during the 2013 baseline traffic conditions. This is supported by site observation.
- 8.9.8 There are currently regular bus services operating along Bedford Road and Tithe Farm Road. Two unmarked bus stops exist adjacent to, and opposite Roslyn Way. These are approximately 100m from the site access. The services along Tithe Farm Road provide connectivity with the Luton Dunstable busway.
- 8.9.9 Leagrave is the nearest railway station approximately 7km from the site.
- 8.9.10 There are three public footpaths that traverse the site and there is a continuous footway along the west side of Bedford Road running past the site. There is currently no pedestrian footway on the eastern side of the carriageway adjacent to the site and no formalised pedestrian crossings exist to enable the safe and efficient crossing of Bedford Road. The site is within reasonable walking distance of local facilities and services at Houghton Regis High Street including Tithe Farm lower school and All Saints Academy secondary school and a supermarket (Morrisons).
- 8.9.11 The National Cycle Network (NCN) Route 6 runs through Houghton Regis and is approximately 2km from the application site. The shared use path along the busway is also within access from the site at a distance of approximately 1.1km away.
- *Related Key Strategic Transport Schemes*
- 8.9.12 There are two key strategic transport schemes highlighted in the LTP3 within the Houghton Regis areas. These are the A5-M1 Link Road and the Woodside Link (connection from the new M1 J11a to Poynters Road).
- 8.9.13 The A5-M1 Link road has been designed to act as a Northern Bypass of the town between the A5 and the M1 via a new junction (11a) on the motorway. Traffic forecasting has identified a significant traffic reduction in and around Dunstable and Houghton Regis, including up to 19% on High Street North, 12% on High Street South, 30% on the A5120 Bedford Road and 22% on the A5.
- 8.9.14 The Woodside Link will connect the new M1 J11a to Poynters Road and will also link the Woodside Industrial Estate to the M1 removing heavy goods vehicle traffic from Houghton Regis and Dunstable. While this authority has committed to the Woodside Link with funding contributions through Department for Transport local growth fund bid, the remaining shortfall is to be underwritten by the Council. As a result contributions will

need to be sourced from developments which will be able to be progressed due to that relief.

8.9.15 The LTP3 indicates that funding contributions are to be sought from developers to deliver essential transport infrastructure provision in the area and address the challenges of increased congestion, air quality and traffic in the future.

8.9.16 Allowance was made for the development of this site within the HRN1 traffic forecasts and modelling.

○ *Proposed site access arrangements:*

8.9.17 Following negotiations with CBC Highways, a mini-roundabout was agreed for the formation of the proposed site access. The alignment was considered in view of the existing Roslyn Way junction to the south. A condition is suggested to be imposed to secure the final details of this junction through the associated Highways works covered under the S.278 Highways Agreement.

8.9.18 The layout is considered to be acceptable. Access and appropriate turning and manoeuvring space for refuse collection vehicles has been fully considered within the layout and is considered acceptable.

○ *Proposed development traffic generation:*

8.9.19 The submitted Transport Assessment forecasts vehicle trip generation from the proposed development being 99 trips during the AM peak and 118 trips during the PM peak hours. These trip rates do not take into account any improvement that may occur as a result of traffic calming and Travel Plan measures. As such they are considered to be adequately robust and represent a 'worst case' scenario.

8.9.20 The Highway Agency and Central Bedfordshire Council consider that the Highway Network as it stands (and considering the unprecedented growth of housing in the area) needs improvement. As a result, both the M1-A5 Link and the Woodside Links have been proposed and approved.

8.9.21 The proposed development would result in an increase in traffic exiting Bedford Road onto the High Street by approximately 10%. The Local Highway Authority acknowledges that the network will be considerably under strain until the time of the opening of the strategic links (2017). At the time of opening the network will be significantly relieved.

8.9.22 Due to the traffic generation from the application site being included within the model for HRN1 and due to the number of dwellings proposed, there is an immaterial and imperceptible difference to the overall traffic flows between the "with development" and "without scenarios".

○ *Woodside Link:*

8.9.23 The Council has committed to the Woodside Link with funding contributions through Department for Transport growth fund bid. The remaining shortfall is to be underwritten by the Council. The Council is seeking appropriate

contributions through appropriate S.106 Agreements from development sites which will benefit, in traffic relief terms, as a result of the construction of the Woodside Link.

- 8.9.24 A contribution has been sought and agreed with the applicants for a significant financial contribution (£778,885) to the Woodside Link based on trip generation levels from this development.
- *Construction traffic:*
- 8.9.25 A Construction and Environmental Management Plan will be secured through imposition of condition. This will include the details for routes and times for construction related traffic.
- *Car parking:*
- 8.9.26 The proposed development includes a range of parking solutions. Parking within the curtilage of the dwelling in the form of garages, car ports and private driveways generally accessed from the front or side of the properties. The use of rear parking courtyards has been completely avoided. Discreet courtyards provide some off-road parking for the apartment elements of the scheme. Parking areas have been designed so that they are well positioned for visual surveillance from surrounding dwellings.
- 8.9.27 Visitor parking is provided in accordance with the Design Guide and are appropriately located throughout the site.
- 8.9.28 The proposed development in terms of the car parking provision is considered acceptable.
- *Pedestrians / cycles:*
- 8.9.29 A new footway is proposed from the development site to the existing footway on Bedford Road. A new pedestrian crossing is to be provided midway between the new site access junction and the junction at Roslyn Way which is welcomed by the Council. One of the representations received on the application seeks an additional public footway along the frontage of the site north of the access along Bedford Road. The A5120 in this location comprises a verge and hedge upon a bank that precludes the provision of an adopted footway. Officers have therefore negotiated the inclusion of a footway south from the site into the settlement of Houghton Regis to enable the development to have improved linkages to the services within the town. Consideration should also be given to the larger HRN Sites 1 and 2 development that are likely to provide improvement works along Bedford Road as will smaller sites
- 8.9.30 A potential new pedestrian link to Tithe Farm School is shown on the submitted layout. This is shown as potential only due to the future plans for the school's redevelopment under the HRN1 obligations. These are as yet unknown. To allow for the potential future provision of this link this has been detailed within the suggestion contributions to be secured through a S.106 Legal Agreement.
- 8.9.31 A new footway link to Tithe Farm Road, via Dell Road and Churchfield

Road is proposed in the south east corner of the site to improve pedestrian and cycle accessibility.

- 8.9.32 Existing public rights of ways (FP10, FP17 and FP45) that currently cross the site are to be improved by incorporating them into the proposed pedestrian network within the development. The applicant has formally applied for a diversion of these footpaths. Final details of the footpaths will be secured through an appropriately worded condition.
- 8.9.33 Cycle parking is provided and incorporated within large garages associated with the dwellings and within communal stores for the proposed apartments. Final details of the cycle parking provision for future occupants and visitors to the development are to be secured as part of the Travel Plan condition.
- 8.9.34 The proposed footpath and cycle arrangements have been discussed at some length with officers and the proposed development is considered acceptable as it promotes pedestrian safety, the traffic calming of Bedford Road and sustainable non-car modes of transport.
- *Public Transport:*
- 8.9.35 Contributions towards the provision of new bus stop facilities has been agreed for the two existing 'unmarked' bus stops closest to the site adjacent and opposite to Roslyn Way. The facilities will include shelters, seating and Real Time Passenger Information.
- *Bedford Road works:*
- 8.9.36 The Transport Assessment sets out the proposed highway improvements to Bedford Road: -
- Raised pedestrian crossing north of the High Street Junction
 - Raised table Bidwell Hill / Bedford Road priority junction
 - Vehicle activated "SpeedViser" signs
 - Mini-roundabout at Roslyn Way
 - Raised pedestrian crossing between Roslyn Way and the site access
 - Mini-roundabout at the site access
 - Relocating the 30mph speed limit and associated gateway feature
 - Re-configuration of Road markings
- *Travel Plan:*
- 8.9.37 A travel plan has been submitted with the application and is in accordance with the Council's requirements however some further clarification is sought as such a condition is recommended to secure this.
- *Sustainable Transport infrastructure contributions:*
- 8.9.38 The following works / contributions have been secured with the applicant:
- Upgrades to the rights of way across the site
 - Design in footway / cycleway links to Tithe Farm Lower School
 - Cycle and footway improvements on Tithe Farm Road to High

- Street, Houghton Regis
- Bus service support
- Bus stop upgrades
- Travel Plan Measures – continuation of Travel Choices project for 5 years
- Provision of Bedford Road works

8.9.39 In conclusion it is considered that with the alteration to the character of Bedford Road, the proposed crossing facilities, footway and footpath provision and links, the Woodside link and bus service contributions and Travel Plan, the proposed development is sustainable in these respects. In light of the NPPF it is considered that opportunities for sustainable transport modes have been addressed, safe and suitable access to the site can be achieved for all people and improvements within the network will effectively address the impacts of the development. As such it is considered that the residual cumulative impacts of the development are acceptable and would not be considered to be severe. The proposed development is in accordance with policy R15 of the South Bedfordshire Local Plan Review and policies 23, 24, 25, 26, 27 and 28 of the emerging Development Strategy for Central Bedfordshire.

8.10 Trees, Landscape, Open Space and Green Infrastructure

Trees and Landscape:

- 8.10.1 Retention of existing boundary planting, supplemented by additional native tree and shrub planting has been proposed along all of the site boundaries. Along the northern boundary this assists in maintaining the existing quality of view from the public rights of way within the local landscape.
- 8.10.2 The submitted Arboricultural Impact Assessment, Method Statement and Tree Protection Plan are considered acceptable by the Trees and Landscape Officer.
- 8.10.3 A representation received through the consultation process mentioned the pollarding of trees along the shared boundary with the properties in Churchfield Road. The submitted Landscape Management and Maintenance Plan sets out how the hedgerows and trees will be managed through the development.
- 8.10.4 With respect to the orientation of the dwellings and inclusion of hedgerows which has been raised as a concern through some of the CBC consultee comments, the dwellings front onto the proposed new road, with those adjacent to the site boundaries arranged to be either flank-on or back to back with the perimeter. The design of the application site would not have been successful if dwellings were fronting the boundaries and avenues of hedgerows and trees would have taken priority over the design aspirations for the site to accord with the Framework Plan.
- 8.10.5 The applicants have confirmed that a covenant will be in place for home owners to retain and maintain the protected hedgerows. This is set out within the submitted Landscape Management and Maintenance Plan. This is considered acceptable and is not significant to warrant a reason for

refusal on these grounds.

Open Space provision:

- 8.10.6 CBC Leisure considers that the layout provides sufficient on-site open space against the requirements of CBC Leisure Strategy 2014. The central location proposed for the play area and open space facilities is welcomed, it provides a central focus for the development, allows a buffer between the formal equipment and houses, and provides a mix of green space and play / recreation facilities. The details of the play equipment and associated maintenance can be secured by condition.

Maintenance of open space:

- 8.10.7 Future maintenance arrangements for the proposed open space and footpath links which would be provided would need to be secured through a S106 Legal Agreement.

Green Infrastructure:

- 8.10.8 Blue Waters Woodland, Houghton Quarry SSSI and Houghton Hall Park are recognised as important recreational destinations that require investment to cope with the increase in recreational pressure as a result of the development. These sites represent the informal recreation site, the strategic scale urban park and the strategic scale nature / countryside facility that are nearest to the proposed development. A financial contribution towards these sites has been agreed with the developer and would be included within the S106 Legal Agreement.

- 8.10.9 The proposed development is in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 57 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

8.11 Socio-economic impacts

- 8.11.1 This element of the assessment considers social and demographic effects (changes to the local population and the implications for social and community infrastructure, education and healthcare provision) and economic effects (changes in employment, residential expenditure and fiscal effects).

- 8.11.2 The supporting Economic Assessment Model submitted with the planning application identifies that through the construction phase of the development there will be 423 total jobs provided (direct and indirect jobs) and within the operational phase 57 jobs through demand for services from the increased population.

- 8.11.3 The construction phase of the development will generate a total of £33.1m additional value to the local area (gross) in terms of goods and services. Once fully developed a total additional value of £2.6m would be provided, retail expenditure of £1.8m, New Homes Bonus of £1.2m and associated Council Tax receipts.

- 8.11.4 It is estimated that the development would result in 406 new patients. The

closest GPs to the site are currently working over-capacity due to the size of their premises.

- 8.11.5 In terms of school places, additional capacity will be required to manage the resulting increase in pupils. The development is within the catchment areas of Houghton Regis Academy and All Saints secondary schools, where a deficit of places is expected from 2016 onwards.
- 8.11.6 The delivery of 169 dwellings over a 3 year period is estimated to represent 2.5% of the annual housing target. The 50 affordable dwellings would also contribute to the affordable housing target for southern Central Bedfordshire to 2031. The effects are considered of moderate beneficial significance.
- 8.11.7 By way of mitigation to address the socio-economic effects identified, suitable financial contributions towards the delivery of primary, secondary and mental healthcare would need to be secured by Legal Agreement. In line with the advice of Central Bedfordshire Council Education, a financial contribution towards the provision of early years and secondary education would be required.
- 8.11.8 Overall it is considered that the proposed development will create a beneficial socio-economic impact and is acceptable in this regard.

8.12 Historic Environment

- 8.12.1 The NPPF identifies within paragraph 128 that, where a site has potential to include heritage assets with archaeological interest, local authorities should require developers submit an appropriate desk-based assessment and, where necessary, a field evaluation. This position is echoed by Policy 45 of the emerging Development Strategy for Central Bedfordshire.
- 8.12.2 The applicant has submitted a Heritage Assessment and an archaeological field evaluation. An Archaeology Officer has considered these documents and has concluded that the development will not affect the significance of either the heritage assets with archaeological interest or any of the designated heritage assets. As such no objection has been raised.
- 8.12.3 In summary the proposal is in accordance with Policy 45 of the emerging Development Strategy for Central Bedfordshire and the NPPF.

8.13 Ecology and biodiversity

- 8.13.1 The NPPF identifies within paragraph 109 that the planning system should contribute to and enhance the natural and local environment by a number of factors. This includes “*minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*”.
- 8.13.2 This stance is further detailed in Policy 57 of the Council’s emerging

Development Strategy. This Policy identifies that:

“The Council will seek a net gain in biodiversity and geodiversity and support the maintenance and enhancement of habitats, identify opportunities to create buffer zones and restore and repair fragmented biodiversity networks.”

- 8.13.3 The applicant has submitted an Environmental Statement, which has been considered by the Council’s Ecology Officer. The Officer has largely agreed with the submitted material, approving point 1.7.7, relating to bird nesting, and point 1.7.8, relating to lighting, within the Environmental Statement. The Officer also welcomes proposals to reinforce hedges with native species. The species for landscaping are also welcomes.
- 8.13.4 While the Officer has not objected, the Officer has raised several points of note. One such point is that the development should include bat and bird boxes within the public realm of the development. It is considered that bat and bird boxes can be included via a condition, if the application is approved.
- 8.13.5 The Officer has also identified that there is a risk of light spill. The Officer identifies that this should be minimised, with directional lighting used to prevent illumination of boundary features. The details of the lighting features will be controlled by a condition, if the planning application is approved.
- 8.13.6 The Officer has also asked for clarification regarding the details of the landscape management plan. The Officer has also raised concerns regarding future maintenance of a number of trees which will fall within the residential garden of the proposed dwellings. It is considered that these details can be required as part of any S106 Agreement, if the application is approved.
- 8.13.7 In summary the proposal is in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policy 57 of the emerging Development Strategy for Central Bedfordshire and the NPPF.

8.14 Ground conditions and contamination

- 8.14.1 A geo-environmental site assessment has been undertaken at the site to assess the existing environmental setting of the application site and the potential impact of the proposed development on the geology of the site. This identifies potential contamination and pollutants on the site. Remediation will be required prior to development taking place. A condition is recommended to secure and agree a programme for the mitigation and remediation to deal with contaminated material.
- 8.14.2 The application is considered to be in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and policies 43 and 44 of the emerging Development Strategy.

8.15 Noise and pollution

- 8.15.1 The proposed development would be located adjacent to Bedford Road, a main route connecting Houghton Regis and Toddington. A Public Protection Officer has identified that, due to the location of the road, the application site will be subject to excessive noise from traffic. In order to mitigate this issue a condition has been recommended to that a scheme of noise attenuation measures is submitted prior to commencement, if the application is approved.
- 8.15.2 The neighbouring Gospel Hall has submitted a representation noting that their activities and use of the site. These would require assessment to determine if acceptable noise levels can be reached for the external and internal living areas of the adjacent proposed dwellings. Of particular note is the external ventilation and extraction equipment they have on the building. The hall is sited approximately 11.0 metres from the shared boundary with the proposed development. This boundary consists of significant tree planting and is also to be enhanced through additional proposed planting.
- 8.15.3 The applicant is confident that measures can be provided where necessary to mitigate any noise impact from the equipment and that this will not impact on the layout. A condition is recommended accordingly for submission of a noise assessment and any required mitigation to be approved by the Local Planning Authority.
- 8.15.4 As such, the development is not considered to present an unacceptable adverse impact in terms of noise and pollution and is therefore in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 44 of the emerging Development Strategy for Central Bedfordshire.

8.16 Flooding and drainage

- 8.16.1 The application site is located outside of Flood Zones 2 and 3. The Environment Agency have identified that, while they do not object to the proposed development, they do note some points of concern regarding their preference for more sustainable methods (discussed below). It must also be noted that the Buckingham and River Ouzel Internal Drainage Board have not raised any objections.
- 8.16.2 The applicant has identified that, for the majority of the drainage network, only engineered or hard solutions are proposed, including trapped gullies, pipe networks and underground tanks. The surface water drainage strategy has shown that underlying conditions are such that both shallow and deep bore soakaways are not appropriate on the site. There are no watercourses or drainage ditches on or adjacent to the site which surface water could be discharged to. The tank farms are designed to accommodate the majority of the storage required during a 1 in 30 year storm and will be adopted by Anglian Water. The remaining attenuation is provided in the ponds, and attenuation crates. Water will then be discharged via a flow control (to comply with the Anglian Water stipulated run-off rate) into the existing sewer which lies to the north of the site.

- 8.16.3 The run-off rate modelled through the proposed drainage strategy is 19.6l/s compared to the calculated greenfield run off rate on the site of 43.64l/s. The proposed development and drainage strategy will therefore increase the sustainability credentials of the site by approximately 55%.
- 8.16.4 While the Environment Agency have stated their preference for more sustainable features to sustain water at the source or on the surface, they have acknowledged the constraints of the high groundwater onsite and the awkward nature of the topography.
- 8.16.5 As such, the proposed development will not create an unacceptable adverse impact in terms of flooding and drainage. With consideration that more sustainable drainage features are not suitable, the proposed development would be in general accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy Policy 48 and Policy 49 of the emerging Development Strategy for Central Bedfordshire and the NPPF.

8.17 Energy Efficiency

- 8.17.1 The NPPF provides broad support and encouragement for responding to climate change, encouraging energy efficiency improvements.
- 8.17.2 The emerging Development Strategy for Central Bedfordshire provides further detail on this position, identifying in Policy 47 that:

“All new residential developments will be required to demonstrate how they will:

- *Meet higher water efficiency standards of 110 litres of water/person/day in every new home built provide a 10% of their energy consumption from renewable and low carbon sources”*

- 8.17.3 The application contains a Design and Access Statement, which includes a Sustainability Statement. This document identifies that all dwellings will be built to a minimum of Code for Sustainable Homes Level 3. The development will include rain water storage, such as rain water butts, as well as energy efficient boilers and energy efficient lighting throughout.
- 8.17.4 As such the application is considered to comply with Policy BE8 of the South Bedfordshire Local Plan and Policy 47 of the emerging Development Strategy for Central Bedfordshire and the NPPF.

8.18 Waste

- 8.18.1 The proposed development would have three refuse collection strategies across the site, dependent upon the nature of the dwelling.
- 8.18.2 The flat refuse strategy identifies that occupants of the flats would be able to carry their refuse to an enclosed refuse store located in close proximity to the building.
- 8.18.3 The house refuse strategy would be split into two sections. Where

dwellings share a refuse collection point, there will be a specific area to collect refuse from. In all other locations, dwellings would have their bins collected from the side of the road.

- 8.18.4 A Waste and Recycling Officer has identified that that all communal bin stores will need to be a maximum of 10.0 metres from the middle of the road in order to allow collection. The layout of the development, and the location of the refuse collection points, would comply with the Officer's comments.
- 8.18.5 The Waste and Recycling Officer has also identified that the individual dwellings would need to store bins in the rear of their properties rather than in the front. The layout and design of the residential development would accommodate this method of storage.
- 8.18.6 As such the development would not present an unacceptable adverse impact in terms of waste and recycling and would comply with the requirements of Policy BE8 of the South Bedfordshire Local Plan and Policy Policy 43 of the emerging Development Strategy. The proposal accords with the Revised Central Bedfordshire Council Design Guide (2014).

8.19 Utilities

- 8.19.1 The application is supported by a Foul Sewerage and Utilities Report. The Report and assessment confirms that the relevant utility providers have been contacted and they have confirmed that there is currently capacity within their networks to supply the site with all of the necessary utilities.
- 8.19.2 As such the development is considered to be in accordance with Policy BE8 of the South Bedfordshire Local Plan Review and Policies 43 and 49 of the emerging Development Strategy for Central Bedfordshire.

8.20 Infrastructure requirements and planning obligations

- 8.20.1 Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) require that S.106 planning obligations must be 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. S.106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.
- 8.20.2 Without prejudice to the eventual determination of the planning application, negotiations have been held with the applicants in order to determine the extent of the obligations required to make the development acceptable in consultation with the service providers. These negotiations have been held in line with the advice within the Regulations. Other relevant matters will be addressed via specific planning conditions.
- 8.20.3 The Legal Agreement would need to achieve the following:
- Provision of affordable housing at 30% of the overall residential development and the tenure mix.

- Establish obligations in respect of site management (e.g. by a Management Company) including long term management and maintenance arrangements in relation to areas of informal green space and associated footpaths, planting, drainage features and play spaces.
- Secure the Travel Plan details and ensure monitoring of this.
- Provision of off-site highway works to Bedford Road
- Various financial contributions in order to offset the impact of the development on various local facilities and services.

8.20.4 The contributions set out below to mitigate the infrastructure impacts of the development have been calculated having regard to the Planning Obligations Strategy for Southern Central Bedfordshire and the R122 tests of the Community Infrastructure Regulations and in consultation with the service providers:

INFRASTRUCTURE ITEM	AMOUNT
Strategic Transport Infrastructure (Woodside Link)	£778,885
Education	£1,532,227.84
Primary Healthcare	£104,928.72
Secondary Healthcare	£107,923
Mental Healthcare	£1,984
Sustainable Transport Initiatives	£93,279
Public Transport Subsidy	£82,000
Indoor Sport and Leisure	£136,011
Outdoor Sport	£136,980
Countryside Recreation Space and Green Infrastructure	£134,626
Social and Community Infrastructure	£88,960
Waste Management	£25,012
Emergency Services (Police)	£39,344
TOTAL	£3,380,976.56

8.20.5 The planning obligations set out above are considered to be 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 and therefore meet the tests for planning obligations set out in paragraph 204 of the NPPF and Part 11 of the 2010 CIL Regulations.

8.20.6 The applicant has agreed to meet these costs in full in order to offset the impact of the development on infrastructure and services in line with the emerging Development Strategy policy 19 and the Council's Planning Obligations SPD. There are no development viability constraints which would prevent full planning contributions, including full affordable housing provision, being secured in this case.

9. Other Matters

Response to representations –

- 9.1 The issues raised within the consultation responses and representations received in relation to the planning application have been addressed within this report.

Human Rights Issues –

- 9.2 In assessing and determining this planning application, the Council must consider the issue of Human Rights. Article 8, right to respect for private and family life, and Article 1 of Protocol 1, right to property, are engaged. However, in balancing human rights issues against residential amenity impacts, further action is not required. This planning application is not considered to present any human rights issues.

Equality Act 2010 –

- 9.3 In assessing and determining this planning application, the Council should have regard to the need to eliminate unlawful discrimination. This application does not present any issues of inequality or discrimination.

Crime and Disorder Act 1998 –

- 9.4 Section 17 of this Act places a duty on local authorities and the police to cooperate in the development and implementation of a strategy for tackling crime and disorder. Officers are satisfied that the proposed development is of a design that can assist in preventing crime and disorder in the area.

10. Conclusions

- 10.1 The application site is located within the Green Belt and would be harmful to the Green Belt due to its inappropriateness and its impact on openness. In line with national planning policy, substantial weight is to be attached to Green Belt harm.
- 10.2 The site is located in an area identified for growth in successive emerging development plans since 2001 and is part of the proposed North Houghton Regis Strategic Allocation in the emerging Development Strategy identified to accommodate the needs of a growing population in the area. In recognition of the lengthy history of policy support for the proposed strategic allocation; the substantial body of evidence from work on previous plans underpinning the overall growth strategy; the strong likelihood of a strategic allocation being formalised as part of the Development Plan in the future; and the recent planning decisions and other committed development within the allocation area, it is considered that the planning context within which the application site sits is such that it would not serve any of the five the purposes of including land within the Green Belt to resist the development on Green Belt grounds. There are also a number of other factors and site specific considerations which weigh in favour of the proposal. Taken together, these factors are considered very special circumstances sufficient to clearly outweigh the harm identified.
- 10.3 The development would represent a meaningful contribution to the delivery of the planned allocation, consistent with the aims of the Houghton Regis (North) Framework Plan.

- 10.4 Subject to suitable mitigation, no significant environmental impacts would result from the proposed development or due to the impact on local services and facilities. In all other respects the proposal is considered to be in conformity with the adopted Development Plan policies, the emerging Development Strategy for Central Bedfordshire, and national policy contained in the National Planning Policy Framework.
- 10.5 For these reasons the proposed development is considered to constitute sustainable development and accords with the Development Plan. There are no other material considerations that indicate that permission should not be granted. As stated in paragraph 14 of the NPPF, the application should therefore be approved without delay subject to the recommended obligations and conditions.

Recommendation

That the Development Infrastructure Group Manager be authorised to GRANT planning permission subject to the prior consultation of the Secretary of State, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, and satisfactory completion of a Section 106 Agreement and subject to conditions.

RECOMMENDED CONDITIONS

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

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

- 2) No construction of the dwellings shall commence, notwithstanding the details submitted with the application, until details of all external materials to be used for the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 43 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 3) **No development other than that required to be carried out as part of an approved scheme of remediation shall take place until conditions (a) to (c) below have been complied with, unless otherwise agreed in writing by the Local Planning Authority.**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (c) has been complied with in relation to

that contamination.

(a) Submission of a Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(b) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(c) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR 11'.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (b).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 44 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 4) No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:
 - a) Construction Activities and Timing;
 - b) Plant and Equipment, including loading and unloading;

- c) **Construction traffic routes and points of access/egress to be used by construction vehicles;**
- d) **Details of site compounds, offices and areas to be used for the storage of materials;**
- e) **Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**
- f) **Details for the monitoring and review of the construction process including traffic management (to include a review process of the CEMP during development).**

Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.

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

Reason: To ensure that the development is constructed using methods to mitigate nuisance or potential damage associated with the construction period and in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 44 of Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 5) No development shall commence until a detailed surface water drainage scheme for the site based on the agreed Flood Risk Assessment (FRA) Bedford Road, Houghton Regis Level 1 Flood Risk Assessment July 2014 (ref. GBR/JR/E/16927/B4) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a restriction in run-off rates as outlined in the FRA. The scheme shall be implemented in accordance with the approved details before the development is completed.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policy 49 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 6) No development shall commence until a scheme for off-site highways improvement works along Bedford Road has been submitted to and approved in writing by the Local Planning Authority which includes the following elements:**

- **Raised pedestrian crossing north of the High Street Junction**
- **Raised table Bidwell Hill / Bedford Road priority junction**
- **Vehicle activated "SpeedViser" signs**
- **Mini-roundabout at Roslyn Way**
- **Raised pedestrian crossing between Roslyn Way and the site access**
- **Mini-roundabout at the site access**
- **Relocating the 30mph speed limit and associated gateway feature**
- **Re-configuration of Road markings**

The approved scheme shall be implemented in full prior to the initial

occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed highways improvement works are appropriate and proportional to the mitigation required and are constructed to adequate standards in accordance with Policy BE8 of the South Bedfordshire Local Plan and Policies 25 and 43 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 7) Prior to construction of the dwellings hereby approved, details of the provision of bat and bird boxes and bricks shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To provide new habitat creation within the new development in accordance with Policy 57 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 8) **Both prior to, and during development, all tree protection measures, and working method procedures, shall be carried out in strict accordance with the “Arboricultural Method Statement”, which forms Section 4 of the supporting document “Arboricultural Impact Assessment and Method Statement”, as prepared by ACD (Document Ref. TWSM19146aia_ams) and dated 10th December 2014.**

Reason: To ensure that a satisfactory standard of working practice is implemented that safeguards the trees from damage incurred during development works, so as to ensure the health, safety, amenity and screening value of the retained trees in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 59 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 9) **No development shall commence until all tree protection fencing and ground protection has been erected and positioned in strict accordance with the specifications shown on the Tree Protection Plan (Dwg No. TWSM 19146-03), which forms Appendix 1 of the supporting document “Arboricultural Impact Assessment and Method Statement”, as prepared by ACD (Document Ref. TWSM19146aia_ams) and dated 10th December 2014. The tree protection fencing and ground protection shall remain securely in place throughout the entire course of development.**

Reason: To ensure that a satisfactory standard of tree protection is maintained both prior to, and throughout the course of development, so as to prevent damage to the rooting system, rooting medium and canopy spread of retained trees, thereby safeguarding their health, safety, amenity and screening value in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 59 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 10) Prior to the construction of the dwellings hereby approved, a landscaping scheme to include all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following completion and/or first use of

any separate part of the development (a full planting season means the period from October to March).

Reason: To ensure an acceptable standard of landscaping in the interests of visual amenity and biodiversity in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 57 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 11) Prior to the construction of the dwellings hereby approved, a detailed refuse collection strategy in accordance with the details within the Design and Access Statement (March 2014) for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details.

Reason: To ensure that development is adequately provided with waste and recycling facilities in accordance with Policy BE8 of the South Bedfordshire Local Plan, Policy WSP5 of the Bedford Borough, Central Bedfordshire and Luton Borough Council's Minerals and Waste Local Plan: Strategic Sites and Policies (2014) and Policy 43 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 12) Prior to laying out of the landscaping areas a scheme detailing on-site equipped play provision within the SLAP for children aged 3-6 years and for the LEAP for children aged 6-10 years to meet the Council's policy standards and facility requirements for play provision. The approved scheme shall be implemented prior to the first occupation of any part of the development.

Reason: To ensure satisfactory provision for play facilities to serve the development in accordance with Policies BE8 and R10 of the South Bedfordshire Local Plan and policies 22 and 43 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 13) Prior to the commencement of development, a scheme for the provision of public rights of way shall be submitted to and approved in writing by Central Bedfordshire Council to include:**

- **The design of access and public rights of way routes (to include landscaping, widths and surfacing)**
- **Proposals for diversion of public rights of way (where necessary)**
- **The temporary closure and alternative route provision (where necessary) of an existing right of way.**

The public rights of way scheme submitted should be in accordance with the approved Rights of Way Standards and Guidance.

Reason: In the interests of amenity of pedestrians and other non motorised users and to ensure safety of users is not compromised by the traffic associated with the development in accordance with policy R15 of the South Bedfordshire Local Plan and policies 23 and 24 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 14) Prior to the construction of the dwellings hereby approved details of any external

lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, have been submitted to approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details.

Reason: To protect the visual amenity of the site and in the interests of biodiversity in accordance with policies 43, 44 and 57 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 15) No development shall commence until full details of the Pumping Station have been submitted to and approved in writing by the Local Planning Authority. These details shall include all external materials and associated hard and soft landscaping. The Pumping Station shall be implemented in accordance with the approved details.**

Reason: In the interest of visual and landscape amenity in accordance with policy 43 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 16) No development shall commence until a scheme of noise attenuation measures which will ensure that internal noise levels from road traffic noise sources shall not exceed 35dB LAeq, 07:00 - 23:00 in any habitable room or 30 dB LAeq 23:00 - 07:00 and 45 dB LAmax 23:00-07:00 inside any bedroom, and that external noise levels from external road traffic noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme approved by the local authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.**

Reason: To prevent nuisance from noise in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 44 of the Development Strategy for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 17) Prior to the construction of the dwellings hereby approved on plots 1, 12, 13, 14, 15, 16, 17 and 18, the applicant shall submit in writing for the written approval of the Local Planning Authority a scheme of noise attenuation measures which will ensure that internal noise levels from the Gospel Hall noise sources shall not exceed 35dB LAeq, 07:00 - 23:00 in any habitable room or 30 dB LAeq 23:00 - 07:00 and 45 dB LAmax 23:00-07:00 inside any bedroom, and that external noise levels from the Gospel Hall noise sources shall not exceed 55 dB LAeq, (1hr) in outdoor amenity areas. Any works which form part of the scheme approved by the Local Planning Authority shall be completed and the effectiveness of the scheme shall be demonstrated through validation noise monitoring, with the results reported to the Local Planning Authority in writing, before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority.

Reason: To prevent nuisance from noise in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 43 and 44 of the Development Strategy

for Central Bedfordshire Revised Pre-Submission Version June 2014.

- 18) The development hereby approved shall not be occupied until a Public Art Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall address suitable themes and artistic opportunities; artists briefs and commissioning arrangements; strategies for community involvement as appropriate; timescales for implementation of the strategy; and project management and long-term maintenance arrangements. The Public Art Strategy shall then be implemented in full within the timeframe set out in the Strategy approved unless otherwise amended in accordance with a review to be agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting local distinctiveness and creating a sense of place, in accordance with Policy BE8 of the South Bedfordshire Local Plan and policy 43 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 19) The development shall not be occupied until a Travel Plan has been submitted to and approved in writing by the council, such a Travel Plan to include details of:

- Predicted travel to and from the site and targets to reduce car use.
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks.
- Measures to minimise private car use and facilitate walking, cycling and use of public transport.
- Timetable for implementation of measures designed to promote travel choice.
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the Council.
- Details of provision of cycle parking in accordance with council guidelines.
- Details of marketing and publicity for sustainable modes of transport to include site specific travel information packs, to include:
 - Site specific travel and transport information
 - Travel vouchers
 - Details of relevant pedestrian, cycle and public transport routes to/ from and within the site
 - Copies of relevant bus and rail timetables
- Details of the appointment of a travel plan co-ordinator.
- An Action Plan listing the measures to be implemented and timescales for this.

No part of the development shall be occupied prior to implementation of those parts identified in the travel plan. Those parts of the approved Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of promoting sustainability and the use of non-car modes of transport in accordance with policy 26 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 20) Before any of the accesses are first brought into use, a triangular vision splay shall

be provided on each side of all private means of access from individual properties within the site and shall be 2.8m measured along the back edge of the highway from the centre line of the anticipated vehicle path to a point 2.0m measured from the back edge of the highway into the site along the centre line of the anticipated vehicle path.

The vision splay so described and on land under the applicant's control shall be maintained in perpetuity free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility between the existing highway and the proposed accesses, and to make the accesses safe and convenient for the traffic which is likely to use them in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 21) Visibility splays shall be provided at all means of access from individual properties within the site on the estate road. The minimum dimensions to provide the required splay lines shall be 2.0m measured along the centre line of the private means of access from its junction with the channel to the through road and 25m on the cursory roads and 43m on the main spine road measured from the centre line of the access along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at the junctions and to make the accesses safe and convenient for the traffic which is likely to use them in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 22) Visibility splays shall be provided at all road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site and shall be maintained thereafter free of any obstructions to visibility.

Reason: To provide adequate visibility at road junctions in the interest of road safety in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

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

Reason: To ensure that the proposed roadworks are constructed to an adequate standard in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 24) The maximum gradient of all vehicular accesses onto the estate roads shall be 10% (1 in10).

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 25) Prior to occupation of the dwellings hereby approved, all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the dwellings in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 26) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the garage accommodation on the site shall not be used for any purpose, other than as garage accommodation, unless permission has been granted by the Local Planning Authority on an application made for that purpose.

Reason: To retain off-street parking provision and thereby minimising the potential for on-street parking which could adversely affect the convenience of road users in accordance with Policy BE8 of the South Bedfordshire Local Plan and policy 43 of Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 27) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no alterations to the carports hereby permitted, including the insertion of a garage door, roller shutter or gate, shall be carried out unless permission has been granted by the Local Planning Authority for that purpose.

Reason: To control the external appearance of the building in the interests of the highway safety of the area in accordance with Policy BE8 of the South Bedfordshire Local Plan and policy 43 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 28) Prior to construction of the roads hereby approved details of the proposed highway lighting within the development shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that lighting has been installed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure the safety of road users in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of the Development Strategy for Central Bedfordshire Pre-Submission

Version June 2014.

- 29) Prior to the construction of the roads hereby approved details of the junctions between the segregated highway and shared surface highway within the application site have been submitted to and approved in writing by the Local Planning Authority and no building shall be occupied until those proposals have been constructed in accordance with the approved details.

Reason: To ensure that the proposed junctions do not cause a hazard to vulnerable users of those highways in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 30) Prior to the construction of the internal roads hereby approved details of the means of access from Bedford Road shall be submitted to and approved in writing by the Local Planning Authority. The access shall be established in accordance with the approved details prior to the initial occupation of any part of the development and retained as such thereafter.

Reason: To ensure that the proposed access to the site from Bedford Road is constructed to adequate standard in accordance with Policy BE8 of the South Bedfordshire Local Plan and policies 25 and 43 of the Development Strategy for Central Bedfordshire Pre-Submission Version June 2014.

- 31) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

12114/P/101, 12114/P/102 Rev.C, 12114/P/103, 12114/P/104, 12114/P/105 Rev.A, 12114/P/106 Rev.A, 12114/P/107 Rev.A, 12114/P/108 Rev.A, 12114/P/109 Rev.A, 12114/P/110 Rev.A, 12114/P/111 Rev.A, 12114/P/112 Rev.A, 12114/P/113 Rev.A, 12114/P/114 Rev.A, 12114/P/115 Rev.A, 12114/P/116 Rev.A, 12114/P/117, 12114/P/118 Rev.A, 12114/P/119 Rev.A, 12114/P/120 Rev.A, 12114/P/121 Rev.A, 12114/P/122 Rev.A, 12114/P/123 Rev.A, 12114/P/124 Rev.A, 12114/P/125 Rev.A, 12114/P/126 Rev.A, 12114/P/127 Rev.A, 12114/P/128 Rev.A, 12114/P/129 Rev.A, 12114/P/130 Rev.A, 12114/P/131 Rev.A, 12114/P/132 Rev.A, 12114/P/133 Rev.A, 12114/P/134 Rev.A, 12114/P/135 Rev.A, 12114/P/136 Rev.A, 12114/P/137 Rev.A, 12114/P/138, 12114/P/139, 12114/P/140 Rev.A, 12114/P/141 Rev.A, 12114/P/142, 12114/P/143, 12114/P/144 Rev.A, 12114/P/145 Rev.A, 12114/P/146 Rev.A, 12114/P/147 Rev.A, 12114/P/148 Rev.A, 12114/P/149, 12114/P/150, 12114/P/151, 12114/P/152, 12114/P/153, 12114/P/154, 12114/P/155, 12114/P/156, 12114/P/157, 12114/P/158, 12114/P/159 Rev.A, 12114/P/160 Rev.A, 12114/P/161 Rev.A, 12114/P/162 Rev.A, 12114/P/163 Rev.A, 12114/P/164, 12114/P/166, 12114/P/167, 12114/P/168, 12114/P/169, 12114/P/170 Rev.A, 12114/P/171 Rev.A, 12114/P/172 Rev.A, 12114/P/173 Rev.A, 12114/P/174 Rev.A, 12114/P/175 Rev.A, 12114/P/176 Rev.A, 12114/P/177 Rev.A, 12114/P/178, 12114/P/179, 12114/P/180 and TWSM1914-03.

Reason: For the avoidance of doubt.

Notes to Applicant

- 1) This permission relates only to that required under the Town & Country Planning

Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

- 2) In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the reason for any condition above relates to the Policies as referred to in the South Bedfordshire Local Plan Review (SBLPR) and the emerging Development Strategy for Central Bedfordshire (DSCB).
- 3) Any conditions in bold must be discharged before the development commences. Failure to comply with this requirement could invalidate this permission and/or result in enforcement action.
- 4) The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
- 5) The applicant is advised that in order to comply with the conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.
- 6) The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.
- 7) The development of the site is subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 8) In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:
 - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 - b) Confirmation of the critical storm duration.
 - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are

to be submitted in accordance with BRE digest 365.

- d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
 - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
 - f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.
 - g) Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality.
- 9) There is a duty to assess for Asbestos Containing Materials (ACM) during development and measures undertaken during removal and disposal should protect site workers and future users, while meeting the requirements of the HSE.
- 10) Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately.
- 11) The application is advised to ensure that the definitive legal line of any public right of way is mapped at the earliest opportunity and that no development should take place on or near a public right of way unless the necessary statutory legal process (where necessary) has been completed in accordance with:
- i. An order made, confirmed and certified under the provisions of Section 247 of the Town and Country Planning Act 1990.
 - ii. An order made, confirmed and certified under the provisions of the Highways Act 1980
 - iii. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

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

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

DECISION

.....
.....