

Item No. 6

APPLICATION NUMBER	CB/14/04276/FULL
LOCATION	Goods Yard, Cambridge Road, Langford, Biggleswade, SG18 9PS
PROPOSAL	The erection of 22 No. affordable housing units with access, parking, bund and acoustic fencing, and landscaping.
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Clarke, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	19 November 2014
EXPIRY DATE	18 February 2015
APPLICANT	North Hertfordshire Homes
AGENT	Beacon Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	The application is linked with CB/14/04634/Full at land rear of The Wrestlers, Church Street, Langford, which is also reported to this committee.
RECOMMENDED DECISION	That planning permission be granted subject to the expiry of the revised plan consultation period.

REASON FOR RECOMMENDATION

The proposed residential development is within the Settlement Envelope for Langford and is therefore acceptable in principle. The development for 22 Affordable Housing Units would also comply with Policy CS7 of the Core Strategy and Development Management Policies Document. The proposal is also considered to be acceptable with regard to the impact on the character and appearance of the area, neighbouring amenity, amenity of future occupants and highway safety. The proposal is therefore considered to be acceptable and in conformity with Policies DM4, DM3 and CS7 of the Core Strategy and Development Management Policies Document (2007) and Central Bedfordshire Council Design Guide (Revised March 2014).

Site Location:

The Former Goods Yard site is located off Cambridge Road in Langford. The 0.85ha site was formerly owned by British Railways Board and used as a depot and goods yard before being sold to a private owner and more recently used for the storage of containers.

Immediately to the east of the site lies the East Coast Main Line with the residential edge of Langford adjacent to the western boundary. Access to the site lies to the south from Cambridge Road while to the north there is open farmland.

Although on the eastern fringe of Langford, the site is within the Settlement Envelope boundary.

The Application:

Planning permission is sought for a development of 100% affordable houses comprising 22 dwellings of two and three bedroom houses and 4 two bedroom flats all two storey in height.

Also relevant in the consideration of this application is planning application CB/14/04634 at land rear of The Wrestlers, Church Street, Langford for the erection of 10 dwellings, which is also reported to this Committee.

The applications are submitted jointly by the applicants so that the Wrestlers site can provide off site contributions to affordable housing and to subsidise the construction of the 22 affordable units.

The application is submitted by North Herts Homes.

RELEVANT POLICIES:

National Planning Policy Framework

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy and Sustainable Communities
CS4 Linking Communities - Accessibility and Transport
CS5 Providing Homes
CS7 Affordable Housing
CS14 High Quality Development

DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development within and Beyond Settlement Envelopes
DM10 Housing Mix

Central Bedfordshire Council's Emerging Development Strategy 2014

Policy 29 Housing provision
Policy 38 Within and beyond settlement boundaries
Policy 43 High quality development
Policy 30 Housing Mix
Policy 34 Affordable homes
Policy 49 Mitigating flood risk
Policy 58 Landscape

Having regard to the National Planning Policy Framework, limited 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 on 24th October

Supplementary Planning Guidance

Design Guide (Revised March 2014)

Planning History

There is no relevant planning history

Representations: (Parish & Neighbours)

Langford Parish Council The Parish Council are supportive of this application and recognise it is to be considered along with application CB/14/04364.

We have concerns over the access and whilst we understand discussions have been held to minimise this we believe additional traffic calming and safety measures are needed at the entrance to the site.

The site layout with regard to the near neighbour at Four Leaf Clover requires revision as it clearly intrudes on their privacy.

Given the existing traffic restrictions that exist for both Station Road and Edworth Road full details of the construction plan should be sent to us for scrutiny once it is available.

Finally we fully support the input provided by near residents which include some of the above.

Neighbours

Two letters received from Four Leaf Clover and Highbury Lodge -

- no objections to the affordable housing units,
- concerns with regard to access onto Cambridge Road,
- access is dangerously near humped back bridge therefore visibility is limited,
- bridge is signposted as 7.5tonne max, however large vehicles still use bridge, concern that construction traffic would use bridge and damage its integrity,
- plots 14 and 15 have windows overlooking property,
- fence between plots 14 and 15 should be planted to avoid balls games,
- concern over speeding vehicles travelling from A1, traffic calming measures should be introduced,
- accommodation would make good contribution to village.

Site notice 4/12/14
Application advertised 05/12/14
in press

Consultations/Publicity responses

Ecology	<p>I have no objections to the proposal but would advise that the NPPF calls for development to deliver a net gain for biodiversity. The landscaping plan shows a number of native broadleaved species to be planted adjacent to the railway line which would provide such a gain but I am aware of concerns raised by Network Rail in relation to deciduous trees and so would question the inclusion of larger species such as oak and cherry.</p> <p>Network rail has a preference for evergreens so holly, privet, broom and gorse would be suitable and would provide a beneficial nectar and berry source.</p> <p>The use of integral bird bricks in the dwellings would also be an enhancement measure and should be incorporated at a 1:1 ratio.</p>	
Green Infrastructure	<p>The Parish Green Infrastructure plan indicates an aspiration for this area to include allotments / open space. This plan doesn't include any open space provision - the requirements for open space provision should be checked against the standards in the Leisure Strategy, with any deficit in provision made good through appropriate contributions to off site provision.</p> <p>There is no information provided on sustainable drainage. The applicant needs to demonstrate how surface water will be managed, in line with the Sustainable Drainage guidance SPD. Currently, there is insufficient information provided to ensure the application complies with Policy DM2 of the Core Strategy / Development Management plan and Policy 49 in the submitted Development Strategy.</p> <p>The screen planting along the railway line needs to be checked in terms of how it complements local landscape character. Landscape colleagues should be asked to advise in respect of this aspect.</p>	
Housing Officer	Development	<p>I support this application as it is providing 100% affordable housing from the development. This application is linked to the application of 10 market dwellings at the Wrestlers, Church Street, Langford. The market units from the scheme at Wrestlers will subsidise the development of the 22 affordable units at Goods Yard, Cambridge Road. Viability has indicated for previous applications at the Wrestlers Langford that provision of affordable housing within the scheme is not viable. The contribution of affordable will be provided for at Cambridge Road. This results in the overall number of affordable units being twice the number required by Council affordable housing policy requirements. This will provide much needed</p>

affordable housing provision for Langford. I would expect the affordable units to meet the Code for Sustainable Homes Level 3 and meet all HCA Design and Quality Standards.

Strategic
Officer

Landscape

I have no objections to development of this site. However, in view of the restrictions required by British Rail, I think that the landscape scheme will have to be revised. The landscape designer has developed a rich scheme based on native species which would have helped to integrate the otherwise highly intrusive acoustic bund and fence into the rural edge setting. The majority of the shrubs used are deciduous and a number of the trees proposed are, in my opinion, planted within their mature height of the railway line. Of particular concern is the wild cherry, as this can become a large tree, although could be coppiced to maintain an acceptable height. Network Rail might consider the autumn leaves to be an issue.

I am concerned about the appearance of the fence and bund and the gambion walls and would hope that the density of planting can be maintained to mitigate these features. In addition, I would like some climbers, including ivy or groundcover such as *Rubus tricolour* to be planted to trail down the gambion walls and so soften their appearance. A greater use of groundcover might be useful in reducing weed maintenance in the future - the bund is to be planted with trees and shrubs without any grass mix beneath. The use of groundcover as well as mulch would be beneficial.

Amelanchier could be used as a substitute for the wild cherry on the mound.

At the entrance to the development - I would prefer a less "suburban" tree i.e. substitute the whitebeam with a larger growing feature tree which would be more appropriate for the village - this site forms a gateway to Langford.- a maple might be more appropriate.

Sustainable
Officer

Transport

Thank you for consulting me on the application. My main concern is one of connectivity for pedestrians and cyclists in exiting the site. It is important that the footways proposed connect effectively to existing networks. The development allows for a footway across the site frontage but the adjacent footway towards Langford also requires improvement, particularly across the entrance at no.s 83 b to e for which a contribution should be sought for improvement. I am also concerned about visibility for cyclists onto Cambridge Road, as despite the assessment currently included the railway bridge causes problems of visibility on a stretch of road where speeds

can be fairly fast as motorists travel through open countryside towards the A1.

Development
Framework Team

The application is linked to the application for 10 market dwellings at Wrestler's, Church Street, Langford. This application is unable to provide affordable housing on site and so its contribution will be provided for at Cambridge Road. The number of affordable homes is twice the number of affordable homes required by the Councils policies and requirements. It is unknown what the relationship is between the two sites in the case the development at Wrestlers does not get built out.

The development is acceptable in principle and will need to ensure that the development complies with following policies:

The application complies with Policy CS5:Providing Homes of the North Core Strategy and Policy 29: Housing Provision of the emerging Development Strategy seeks to ensure the delivery of new homes in Central Bedfordshire as the proposal is for the erection of 22 new homes. These homes are to be affordable and so complies with Policy CS7:Affordable Housing (North Core Strategy) and Policy 34:Affordable Housing (emerging Development Strategy).

The application site is located within the Langford settlement boundary and thus Policy DM4 (North Core Strategy) and Policy 38 (emerging Development Strategy) applies. The development can be considered as a residential infill development and comprises a small-scale housing development. The development proposal therefore complies with this policy.

The development will also need to comply with Policy CS14 (North Core Strategy) and Policy 43 (emerging Development Strategy) in that it would need to be of a high quality.

As such the development is acceptable in principle.

Tree and Landscape
Officer

Landscape detail would appear to be acceptable and different but I would suggest that the Sorbus located on the left side of the access road could be exchanged for a more substantial tree to create impact and a feature within this area.

I understand that there may now be an issue with regards to British rail requirements and it is likely that additional details may be required regarding landscape and also existing trees.

Public Protection
(contamination)

Due to the previous use of the site, and it being the responsibility of the developer to make the site safe and suitable for use, I would expect to attach the following conditions to any permission granted:

Condition

No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

As shown to be necessary by the previously submitted April 2014 BRD ST Consult Site Investigation Report, a Phase 3 remediation scheme with an explanation measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoil's that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

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.

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, unless an Agency condition already forms part of this permission.

Reason: To protect human health and the environment

Sustainable
Development Officer

The applicant have asked to condition the delivery of policy DM1 and DM2 requirements to allow them a flexibility of designing the most appropriate measures at the detailed design stage. I am happy to follow this

suggestion and apply following conditions, should a planning permission be granted:

10% energy demand of the development to be secured from renewable sources, this to be calculated as built;

Water efficiency standard equivalent to Code for Sustainable Homes Level 3: 105 litres per person per day (plus additional 5 litres per person per day for external use).

Waste Officer

The proposed location for the communal bin store for the flats is not suitable as the collection truck will have no option but to block all traffic in and out of the site when it makes a collection due to the pedestrian cross over point location. I would propose that either the cross over point is widened to allow vehicles to pass in both directions or the store is relocated. Also the store will need to be no more than 10 metres from the store doors to middle of the road that the collection vehicle will stop.

The following plots will all need communal bin collection points, plots 19- 22 and 12 - 18. The collection point will need to be able to accommodate 1 bin, 2 garden sacks and a food caddy from each dwelling.

Highways

The applicant has submitted revised plans for the proposal indicating a 5.0m access compared to the previous plans indicating a 5.5m wide access. The revised plans show the tracking for the refuse vehicle and while I have no objection to its infrequent using of both sides of the access within the site, I am concerned that it crosses the centre line of Cambridge Road when exiting the site. I realise this occurrence will be infrequent, but due to the close proximity of the bridge, any vehicle coming from the brow of the bridge will be almost atop the refuse vehicle before evasive action can be taken. Therefore I can not support the reduced access width of 5.0m and have included a condition for a wider access and/or revised radii to alleviate the crossing of the centre line of Cambridge Road.

I have also included a condition for a 2.0m wide footway along the site frontage with Cambridge Road for ease of use for pedestrians. Please be aware that the tracked refuse vehicle within the site measures only 10.0m long, although a 11.4m vehicle can use the area without overrun.

Other issues include, pedestrian and forward visibility which will be required within the site; Bay 3(2) is too short

on the southern side and lengthening it will require the forecourt in front to be lengthened to 6.0m to allow for vehicle manoeuvring; the speed humps in front of V(2) can be removed as the bend will slow vehicle speeds; bay 18(2) should be relocated at V(8) and vice versa for ease of residential use; the extent of the adopted highway is not indicated at the speed table/road/refuse turning area and there are too many changed to road levels for the refuse vehicle to negotiate and a 0.5m service margin will be required around the turning area within the parking court. However all of these issues can be dealt with by conditions which I have included accordingly.

Visibility from the access is acceptable and the proposal will not have a detrimental impact on the highway network, although I will be asking for a construction traffic management plan to alleviate any issues with traffic generation/heavy goods vehicle movements for the construction of the bund and the site development.

Conditions are recommended relating to width of access, visibility, internal road arrangements and cycle parking.

Public Protection (Noise) I have now had the opportunity to consider the additional railway noise monitoring undertaken by the applicant. I have also considered the additional noise barrier and distance attenuation (modelled) calculations for the LA max levels at the proposed dwellings. I note that the applicant has also now specified the height and location of the barrier that the modelled mitigation is based upon. I further note that a MVHR ventilation System is now proposed which has removed the requirement for trickle vents in the windows of habitable rooms significantly affected by railway noise, thereby improving the overall facade insulation performance, resulting in lower predicted LAmax levels with windows closed at night.

The applicant has now also submitted a thermal modelling report by WSP the report summary concluded;

An overheating analysis using thermal modelling techniques has been carried out on selected representative houses forming part of the proposed housing development.

The results show that based on the design criteria used that overheating will occur, however by improving the U value and G value of the windows and providing mechanical ventilation the internal room temperatures can be reduced to compliant levels, under 1% of the occupied hours per year. Continuous mechanical

ventilation with heat recovery (MVHR) systems in each house is the proposed installation to achieve this. The modelling has been carried out based on windows being closed due to the acoustic considerations and proximity to the railway line, however if the occupants choice to open the windows during summer daylight hours/peak summer time external temperatures the natural ventilation rate achieved would in practice further reduce internal temperatures and hence overheating.

On the basis of this further information I am satisfied that a satisfactory noise mitigation scheme and ventilation strategy could be achieved at the proposed development. However further details of the exact design specification for the mitigation scheme including MVHR system used and noise levels from that system, window design and U and G values, noise barrier design and construction materials will be required prior to development commencing. I therefore have no objection to the proposed development subject to the following conditions being attached to any approval;

1. Development shall not begin until a scheme for protecting the proposed dwellings from noise from the railway line adjacent to the proposed development has been submitted 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 before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of the noise barrier along the boundary with the railway, building insulation and alternative ventilation strategy for the proposed dwellings.

The scheme shall ensure that internal noise levels from rail traffic shall not exceed 35 dB LAeq,07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAm_{ax}, 23:00-07:00 inside any bedroom and that noise levels from rail traffic in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates. . All approved works in respect of each dwelling shall be completed before that dwelling is first occupied.

Reason: To protect the amenity of future occupiers of the proposed dwellings.

2. Development shall not begin until a ventilation and summer cooling scheme for the proposed dwellings has been submitted to and approved in writing by The Local

Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for rail noise as specified in the above condition.

Reason: To protect the amenity of future occupiers of the proposed dwellings.

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the close proximity to the development of an electrified railway.

However the Council will be aware of our aspiration to close the nearby level crossing at Jiggs lane as part of the overall project to close as many crossings as possible on the East Coast Main Line. The current proposal is to divert the path along the side of the railway, through or adjacent to the application site (this of course needs agreement with the applicant) and then to either utilise the existing Cambridge Road bridge or create an independent bridge structure alongside. The physical layout of the site as proposed would not preclude our aspiration for the footpath diversion or bridge link, though there would be a clear visual impact on the outlook of the dwellings were a bridge to be constructed. However this would be properly assessed as and when the deemed consent for the structure via the relevant TWA (or application for prior approval) for the new bridge were to be submitted.

In terms of the existing crossing at Jiggs lane, as there is no physical link from the development site to the north we are satisfied that there would be no direct impact on the level crossing as a result of the development. However we would wish to see a condition preventing such a link being created in the future if the crossing remains open. Should the developer be keen to promote such a link in the interim a contribution towards closure of the crossing would then be sought.

A further point relates to the existing NR access and provision that has been made in the proposed layout for a revised access. We are uncertain as to whether this would be able to accommodate the possible size of vehicle which may need access to the railway (the maximum size which would be an articulated trailer

delivering rail lengths to site) and a swept path analysis should be provided to illustrate the capability of the access.

Further comments are summarised and related to Railtrack operational needs -

Former BR Land covenants, Drainage, Fail Safe Use of Crane and Plant, Excavations/Earthworks, Security of mutual boundary, Fencing. Method Statement/Fail Safe Possessions, Demolition works, abnormal loads, encroachment, Landscaping and lighting, access to railway.

Determining Issues

The main considerations of the application are;

1. The principle of the development
2. The impact on the character and appearance of the area
3. Neighbouring amenity
4. Amenity of future occupants in terms of noise from the railway line
5. Highway considerations
6. Any other considerations

Considerations

1. The principle of the development

The application site is located within the Langford settlement boundary and thus Policy DM4 applies. Langford is defined as a Large Village under Policy CS1 of the Core Strategy where small scale new development will be permitted. The development comprises a small scale housing development of 22 dwellings comprising eighteen, two and three bedroom dwellings and four, two bedroom flats. The development proposal therefore complies with Policy DM4.

Policy CS7 requires 35% of new development be Affordable Housing. This scheme would provide 100 % affordable across the 22 dwellings proposed with a mix of shared ownership properties and affordable rent.

The application is submitted in conjunction with an application for 10 market dwellings at the Wrestlers, in Church Street, Langford. The Wrestlers site is a site allocated for development under Policy HA22 of the Site Allocations Development Plan Document, however the proposal is unable to provide the required level of affordable housing as set out by the Site Allocation policy due to viability issues. Therefore the development's contribution will be provided for within the Cambridge Road site. The market housing at The Wrestlers will also subsidise the construction of the affordable homes development. The number of affordable homes to be provided by both developments is therefore well above

the number homes required by the Councils policies and requirements.

In terms of the principle of the development, the proposal is within the Settlement Envelope and will provide much needed Affordable Housing provision, therefore the proposal is considered to comply with Policy CS7 and Policy DM4 of the Core Strategy and Development Management Policies Document (2009).

2. The effect upon the character and appearance of the area

The site is long and narrow and runs parallel to the railway line. The constraints of the site shape, and the need to mitigate noise from the railway line, dictates the layout of the dwellings, internal access road and parking spaces and landscaping.

The four flats are to be located to the front of the site with a dual aspect facing onto Cambridge Road and into the site. The building would be two storeys in height and would appear as a semi-detached dwelling linked by the communal stairwell. The flats would have communal bin storage and cycle storage areas and are compliant with the Design Guide criteria for internal space standards being between 60.2 sqm and 68 sq m in size. For a 2 bed, 2 person unit, the Design Guide suggests minimum internal floor area of 61.sq m. The proposal is therefore considered acceptable in this respect. Each flat is provided with two parking spaces within a shared parking area to the rear.

Within the site the dwellings are designed as terraced properties across five blocks of three and four dwellings. The properties would have private amenity space to the rear, front gardens and parking spaces either to the frontage of the dwellings or with a shared parking courtyard. The front elevations are designed to have a street facing frontage with the end terrace units having a dual aspect front elevation thus appearing as a corner property. The external appearance of the dwellings has been revised so that the elevations have gabled bay window projections to the front and open porches to provide interest within the street scene. There would be a mix of render and brickwork for the external finishes.

While the site is located on the edge of the village, it is screened from the open countryside by the railway line and its overhead cables. A 2.5m acoustic earth bund is proposed along the boundary of the site with the railway line, together with extensive landscaping. The western boundary of the site adjoins the existing residential development in Langford.

With an extensive landscaping scheme, the proposal is considered to be acceptable with regard to the impact upon the character and appearance of the area and therefore compliant with Policy DM3 of the Core Strategy and Development Management Policies Document.

3. Neighbouring amenity

The western boundary of the application site adjoins existing residential properties. Plot 5 would be located adjacent to No.91 Cambridge Road, set

back from its rear elevation with the gable end facing the rear garden. There are to be no first floor windows in the flank wall of Plot 5 which would overlook No. 91. A ground floor kitchen window would be screened by 1.8m fencing. There would be some overbearing impact from the side wall of Plot 5, however it is sited at approximately 5-6m from No 91 and located to the east, therefore this impact is not considered to be significant. The proposal is not considered to result in an adverse loss of amenity to this neighbouring property.

83a Cambridge Road and Meadow View are sited at approximately 24m from the boundary with the application site, and around 35m from the rear elevations of Plots 8, 9 and 10. Given this distance, the proposal is not considered to result in any adverse impact on the amenities of these properties.

Four Leaf Clover is a detached chalet bungalow located close to the boundary with the site (around 8m). Plots 14 and 15 would be sited closest to this neighbouring property together with the shared parking forecourt for plots 12 - 17. The side elevations of the new properties are off set from the rear elevation of Four Leaf Clover and while there would be some overlooking at an oblique angle, it is not considered to be to an unacceptable degree. There are two first windows in the flank elevations of Plots 14 and 15 which face directly onto Four Leaf Clover. These windows serve a bathroom and landing and are proposed to be obscure glazing. Given the separation distance, there would be no loss of light or overbearing impact and no windows would significantly overlook this neighbouring dwelling.

No 83g Cambridge Road is located towards the far rear of the application site. There would be some overlooking towards the front elevation of this property from Plot 15, however this is not considered to be so significant that it would warrant a refusal. The front elevation of a property is generally within the public domain, therefore an element of privacy loss will always exist. Plots 19 -22 would be located to the side of No 83g, but would be sited at approximately 15m from the adjoining property. It is noted that there are a number of mature trees within the garden of 83g which will act as a screen between the existing and the proposed dwellings. Nevertheless the proposal is not considered to have a significant impact on the amenities of this neighbouring property.

No other neighbouring dwelling would be affected by the proposal.

The proposal is considered to comply with Policy DM3 of the Core Strategy and Development Management Policies Document.

4. Amenity of future occupants in terms of noise from the railway line

The application site is located immediately adjacent to the East Coast Main Line. The future occupiers of the dwellings will therefore be exposed to noise and disturbance from trains. In order to mitigate the impact from the railway, a 2.5m acoustic bund is proposed along the length of the development together with acoustic fencing and extensive landscaping and the dwellings have been designed so that noise from the railway line can be improved to a satisfactory level.

While the noise attenuation barriers would go some way towards reducing the noise impact concerns were raised regarding night time noise levels, especially when sleeping in the summer months.

The applicant has proposed a mechanical ventilation system for the dwellings which allows internal ventilation without the need to open windows. The system also removed the requirement for trickle vents in the windows of habitable rooms that are significantly affected by the railway noise which improves overall facade insulation performance resulting in lower predicted L_{Amax} levels with windows closed at night.

The applicant has provided additional information at the request of Public Protection Officers and following receipt of the additional information, they have commented that a satisfactory noise mitigation scheme and ventilation strategy can be achieved. However conditions are recommended which require details of the exact specification of the mitigation scheme.

Overall it is considered that provided the noise mitigation scheme is implemented in accordance with the details submitted by condition, the proposal would not result in unsatisfactory living accommodation for future occupants.

5. Highway considerations

The existing access to the former goods yard is to be upgraded to serve the development. There is no fundamental objection to the access from Highways Officers, however a number of conditions are recommended particularly for the widening of the access at the junction with Cambridge Road.

Within the site there are some concerns, as noted above by the Highways Officer, relating to the works that will fall within the extent of the internal roadway which is to be adopted. However these issues can be dealt with by conditions. Parking has been provided on the basis of 2 spaces per dwelling, a level which accords with the Design Guide (Revised 2014). Six visitor parking spaces are also provided.

Subject to the recommended conditions, the proposal is considered to be acceptable in terms of the impact upon highway safety.

6. Any other considerations

Network Rail

Network Rail have commented that certain species of trees are unable to be planted near to the railway line. They would also require an access point to the line for maintenance purposes. The applicant is aware of these issues and is happy for landscaping to be dealt with by a condition.

Network Rail are currently negotiating closing the bridleway crossing to the north of the site known as Jiggs Lane. This would result in the diversion of the existing bridleway that crosses the railway line to the north of the site to a north-south

direction running through the application site. The bridleway would exit the site at the access point with Cambridge Road and allow users to cross the existing bridge in Cambridge Road. To facilitate the bridleway, Network Rail's programme includes a new 2m footpath along Cambridge Road and up to the bridge and a footbridge across the tracks. The diversion of the bridleway through the application site will result in better connectivity for users of the bridleway and a safer route across the railway line.

Contamination

Given the former use of the site, there is potential for land contamination. However this does not result in an objection from Public Protection. The site should be investigated for contaminants prior to any works commencing.

Planning Obligations

The site is 100% affordable with no market housing. Due to the economic constraints of the site together with the required works for noise mitigation measures, the proposal would not be viable and therefore not deliverable, if planning obligations were sought. The application is submitted in conjunction with the application for proposed development at The Wrestlers in Langford, which will subsidise the construction of the affordable housing scheme. Under the circumstances, it is not considered reasonable to seek contributions towards local infrastructure requirements.

Human Rights/Equalities Act

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

7 Conclusion

The proposed residential development is within the Settlement Envelope for Langford and is therefore acceptable in principle. The development for 22 Affordable Housing Units would also comply with Policy CS7 of the Core Strategy and Development Management Policies Document. The proposal is also considered to be acceptable with regard to the impact on the character and appearance of the area, neighbouring amenity, amenity of future occupants and highway safety. The proposal is therefore considered to be acceptable and in conformity with Policies DM4, DM3 and CS7 of the Core Strategy and Development Management Policies Document (2007) and Central Bedfordshire Council Design Guide (Revised March 2014).

Recommendation

That planning permission be granted subject to the expiry of the revised plan consultation period.

RECOMMENDED CONDITIONS / REASONS

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

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 **No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

Reason: To control the appearance of the building in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 3 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sections through both the site and the adjoining properties, the location of which shall first be agreed in writing with the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 4 **No development shall take place until a detailed landscaping scheme to include all hard and soft landscaping, boundary treatments, external lighting, minor equipment and signage, and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been 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 the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.**

Reason: To ensure an acceptable standard of landscaping in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 5 **No development shall commence until a scheme for protecting the proposed dwellings from noise from the railway line adjacent to the proposed development has been submitted 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 before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of the noise barrier along the boundary with the railway, building insulation and alternative ventilation strategy for the proposed dwellings.**

The scheme shall ensure that internal noise levels from rail traffic shall not exceed 35 dB LAeq,07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAm_{ax}, 23:00-07:00 inside any bedroom and that noise levels from rail traffic in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates. All approved works in respect of each dwelling shall be completed before that dwelling is first occupied.

Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 6 **Development shall not begin until a ventilation and summer cooling scheme for the proposed dwellings has been submitted to and approved in writing by The Local Planning Authority. The scheme shall enable appropriate internal ambient noise levels to be achieved whilst ventilation is provided at the minimum whole building rate as described in The Building Regulations Approved document F. The scheme shall also ensure that the thermal comfort criteria defined in the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide A (2006) is achieved with windows closed where required to meet the noise standards for rail noise as specified in the above condition.**

Reason: To protect the amenity of future occupiers of the proposed dwellings in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 7 **No occupation of any permitted building shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:**

As shown to be necessary by the previously submitted April 2014 BRD ST Consult Site Investigation Report, a Phase 3 remediation scheme

with an explanation measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 8 **No development shall commence at the site before details of how the development will achieve 10% or more of its own energy requirements through on-site or near-site renewable or low carbon technology energy generation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.**

Reason: In the interest of sustainability in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies Document (2009)

- 9 Before the internal site access are first brought into use, a triangular vision splay shall be provided on each side of the new access drive 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 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 access, and to make the accesses safe and convenient for the traffic which is likely to use them in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 10 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43.0m measured from the centre line of the proposed

access along the line of the channel of the public highway to the west and 43.0m measured from the centre line of the proposed access to the centre line of Cambridge Road to the east. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 11 No dwelling shall be occupied until a 2.0m wide footway fronting Cambridge Road has been constructed in accordance with Plan number 1862-PL-102 rev C. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 12 The maximum gradient of the vehicular access shall be 10% (1 in 10).

Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 13 Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved shall be closed in a manner to the Local Planning Authority's written approval. (See Notes to the Applicant)

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 14 Before the premises are occupied all on site vehicular areas shall be surfaced in a stable and durable manner in accordance with details to be approved in writing by the Local Planning Authority. Arrangements shall be made for surface water drainage from the site to soak away within the site so that it does not discharge into the highway or into the main drainage system.

Reason: To avoid the carriage of mud or other extraneous material or surface water from the site so as to safeguard the interest of highway safety and reduce the risk of flooding and to minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits

in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 15 The turning space for vehicles illustrated on the approved drawing no. SD213362/SK5 Rev P1 shall be constructed before the development is first brought into use and retained thereafter.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 16 **No development shall commence until a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose. (See Notes to the Applicant)**

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport In accordance with the Core Strategy and Development Management Policies Document (2009)

- 17 Details of a refuse collection point located outside of the public highway shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwelling. The scheme shall be fully implemented prior to occupation of any dwelling and shall be retained thereafter.

Reason: In the interest of amenity and in order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with the Core Strategy and Development Management Policies Document (2009)

- 18 **No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include proposals for construction traffic routes, a method statement of preventing site debris from being deposited on the public highway, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, the management of junctions to, and crossing of, the public highway and**

other public rights of way, details of escorts for abnormal loads, temporary removal and replacement of highway infrastructure and street furniture, the reinstatement of any signs, verges or other items displaced by construction traffic, construction traffic access to the site and construction traffic parking and details of the amount of traffic moments/earth and size of vehicle required for the construction of the bund. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the site in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 19 Notwithstanding the details shown parking bay no. 3(2) shall measure 2.5m x 5.0m and have a 6.0m forecourt in front of it. Parking bays 18(2), 19(2) and 20(2) shall measure 2.5m x 6.0m each.

Reason: For the avoidance of doubt and for ease of vehicle movement and in accordance with the Core Strategy and Development Management Policies Document (2009)

- 20 Notwithstanding the details shown a visibility splay shall be provided at the south side of the junction of the parking bays of 7(1) and 7(2) with the public highway before the building is occupied. The minimum dimensions to provide the required splay line shall be 2.0m measured along the centre line of the proposed access from its junction with the channel of the public highway and 17.0m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 21 Notwithstanding the details shown and before development commences details of; the speed table inclusive of the extent of the adoptable highway; the turning area for a refuse vehicle within the parking forecourt inclusive of a 0.5m service strip; the demarcation of the visitor parking spaces; and the demarcation/keep clear hatching/signage of the turning area in front of plots 20 and 21 shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the speed table, service margin, turning area and demarcation of the visitor parking bays and turning area have been constructed in accordance with the

approved details.

Reason: To provide a safe and adequate adoptable highway with turning provision and adequate on site visitor parking provision in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 22 Notwithstanding the details shown details of a 17.0m forward visibility curve, on the east side of the internal access road, in the vicinity of the frontage of plot, shall be submitted to and approved in writing by the local planning authority and the development shall not be brought into use until the forward visibility curve has been constructed in accordance with the approved details and shall thereafter be kept free from all obstructions.

Reason: In the interests of road safety and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 23 Development shall not begin until the detailed plans and sections of the proposed road(s), including gradients and method of surface water disposal have been approved by the Local Planning Authority and no building shall be occupied until the section of road which provides access has been constructed (apart from final surfacing) in accordance with the approved details.

Reason: To ensure that the proposed roadworks are constructed to an adequate standard and in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 24 Notwithstanding the details shown development shall not begin until details of the junction of the proposed vehicular access with the highway and tracking diagrams for a refuse size vehicle leaving the site in an easterly direction without crossing the centre line of Cambridge Road, shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into use until the junction has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 25 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Sound Solution Noise and Vibration Assessment 18180 R3, Sound Solution Continuation Assessment (Noise) 21032 R2, Highway Design Report D-213362 Rev A, Site Investigation Report JN0589, 1862-

PL-01 rev A, 1862-PL-102 REV C, 1862-PL-103 REV B, 1862-PL-104 REV B, 1862-PL-105 REV B, 1862-PL-106 REV B, 1862-PL-107-REV D, 1862-PL-108 REV D, 1862-PL-109 REV D, 1862-PL-110 REV B, D213362/01 P4, D213362/08/P5, D213362/09/P4, D213362/10/P4, D213362/SK1/P4, D213362/SK2/P4, D213362/SK3/P4, D213362/SK5/P1, 46652/1, 14/03 REV, PLANTING LIST REV 2.

Reason: To identify the approved plan/s and to avoid doubt.

Notes to Applicant

1. 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 Control Group, Development Management Division, 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.

The applicant is advised that in order to comply with the highway 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 Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

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

The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ

The applicant is advised that photographs of the existing highway that is to be used for access and delivery of materials will be required by the Local Highway Authority. Any subsequent damage to the public highway resulting from the works as shown by the photographs, including damage caused by

delivery vehicles to the works, will be made good to the satisfaction of the Local Highway Authority and at the expense of the applicant. Attention is drawn to Section 59 of the Highways Act 1980 in this respect.

The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

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

The applicant is advised that no works associated with the CTMP should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under the Highways Act to be implemented.

2. 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.
3. The applicant and the developer are advised that this permission is subject to a legal obligation under Section 106 of the Town and Country Planning Act 1990.
4. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoil's that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.

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.

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, unless an Agency condition already forms part of this permission.

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

Planning permission is recommended. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

DECISION

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