

Item No. 6

APPLICATION NUMBER	CB/15/02419/FULL
LOCATION	Land North of Flexmore Way, Station Road, Langford
PROPOSAL	Residential development of 42 dwellings, vehicular access, pedestrian and cycle links, public open space, car parking, landscaping, drainage and associated works.
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Samantha Boyd
DATE REGISTERED	07 July 2015
EXPIRY DATE	06 October 2015
APPLICANT	David Wilson Homes (South Midlands)
AGENT	Bidwells
REASON FOR COMMITTEE TO DETERMINE	Major development - contrary to Policy and Parish Council objection
RECOMMENDED DECISION	Full Application - approval recommended

Reason for Recommendation

The proposed 42 dwellings are contrary to Policy DM4 of the Core Strategy and Development Management Policies Document, however the application site is adjacent to the existing settlement boundary in Langford and centrally located within the village, it is therefore considered to be a sustainable location. The proposal would have an impact on the character and appearance of the area however this impact is considered to be limited given the location of the site. The proposal is also considered to be acceptable in terms of highway safety and neighbouring amenity and therefore accords with Policy DM3 of the Core Strategy and Development Management Policies Document (2009) and the Council's adopted Design Guidance (2014). The proposal would provide affordable housing and would add to the Council's 5 year housing supply, these benefits are considered to add significant weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

The application site is located to the north of Flexmore Way and west of Station Road in Langford. The site is approximately 1.86 hectares and includes No 90 Station Road, which is to be demolished to provide the access route into the site.

The area of land currently comprises 90 Station Road and its curtilage together with the land to the rear that is currently paddock land with fencing and stables. There are mature trees surrounding the site on the northern and western boundaries. To the east there are existing dwellings in Station Road and to the south the site is bound by the rear gardens of the properties in Flexmore Way.

The site is partly in the Settlement Envelope for Langford (the existing dwelling to be demolished and its curtilage is within the envelope boundary). The remainder of the site forms part of the Langford 'triangle', a triangular piece of land centrally located with the village and surrounded by development, but is not included within the Settlement Envelope. The site is not within Green Belt or any other land designation.

The Application:

Full planning permission is sought for a residential development of 42 dwellings, vehicular access, pedestrian and cycle links, public open space, car parking, landscaping, drainage and associated works.

During the application process revised plans have been received making alterations to the site layout, parking provision and visitor parking. The revisions lead to a reduction in the original number of dwelling proposed (43 to 42), the amendment of some house types to a bungalow and a pair of semi detached one and a half storey dwellings in place of two storey dwellings, relocation of the dwellings with dormers (rooms in the roof space) from the edge of the site to within the site, an increase in parking spaces to comply with the Design Guide and an increase and relocation of the Visitor parking spaces to comply with the Design Guide.

35% of the proposed dwellings are to be Affordable Housing and the approximate overall density of the site is 23 dwellings per hectare.

A further consultation based on the revisions has been undertaken therefore the assessment below is based on the revisions received on 19 October 2015.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS5 Providing Homes
DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM10 Housing Mix
DM4 Development Within & Beyond the Settlement Envelopes
CS14 High Quality Development
DM3 High Quality Development
CS7 Affordable Housing
CS2 Developer Contributions

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help

support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

There is no history relevant to this application

Consultees:

1. Langford Parish Council **Summary**

Langford Parish Council has carefully considered this application and has consulted on it widely throughout the village culminating in a public display of the planning documents attended by over 100 residents.

It is our view and that of our residents that this application is not in the best interests of our village and should be refused, it is poorly designed, totally unsustainable and will bring unnecessary pressures to bear on those living nearby who in many cases purchased their property on the basis of the published development strategies 2008-2011.

The proposed site is outside the agreed settlement envelope and is part of the "Green Triangle" which is the last green space of the old village it has stood the test of time and should remain so. We do understand the impact of the recent appeal judgement regarding the local authorities issues around demonstrating land supply for housing but given that Langford is already contributing to this issue with circa 200 houses approved we believe totally the flawed Flexmore proposal is a step too far and should be categorically rejected.

Our specific grounds for opposition follow

Site Design

1. Has centred on maximisation and has not considered at all the impact on the residents of Flexmore Way a cul de sac adjoining the proposal. Three storey properties are proposed which are totally out of keeping with the area and will create an imposing claustrophobic situation for those properties (even numbers) to the right of Flexmore Way and this is not acceptable. Privacy is being encroached upon in certain instances which are unacceptable; Residents have documented their specific concerns as it relates to their own properties which the

Parish Council totally supports. It should also be recognised that certain PROPERTY boundaries are being breached by the plan without the permission of the land owners, we do understand that planning consents do not necessarily require land ownership but in this situation where circa 35% of the site is impacted it needs to be publicly recognised that the developer has no solid remit.

- A pedestrian walk way is proposed between the new site and Flexmore Way; this is not acceptable as it will end up becoming an alternative entry to the new site with cars being parked across its entrance in Flexmore Way and its owners walking through to the new site.

3 The Parish Council and residents have grave concerns over the so called green space and balancing ponds(the site is on a hill so difficult to see how water will flow successfully)being at the rear of the site, it is too dark and remote from most of the properties and could unfortunately become an area attracting the wrong type of visitor.

The Parish Council in conjunction with the police are trying hard to ensure our leisure areas remain safe and secure for everyone especially our children who are naturally drawn towards such places. In our experience you avoid such eventualities by good design which this proposal is not.

4 Car Parking layouts do not look adequate given cars per household, visitors and delivery traffic, all spare space is allocated as visitor parking (max 11),the spaces quoted overall probably meet the designated requirement but will result in a crowded and polluted environment with residents looking elsewhere to park.

5 Site Access onto Station Road is of great concern to us given the potential risks that are being created, the distances between the proposed entry point, Flexmore Way and the two others proposed off Station Road (Planning Consent given to a 110 dwelling estate with in and out entry roads) appear insufficient from both a visual and practical perspective. Currently the bus stop at the Flexmore Way junction is used by both school transport and local services, the projected growth from the sites that already have planning consent will require dedicated pull offs for the increased services that will be needed. Given the multiplicity of roads being proposed it is difficult to see how this can be achieved safely

Station Road and its environs are probably the poorest of

our roads despite being weight restricted, and there is nothing in the forward plans to undertake any major work that we can see to cope with what will be a very significant increase in traffic volume.

There is an additional impact on those residents who live in Station Road with insufficient parking capability, with the restrictions that will be required with the multiplicity of all new accesses they will be unfairly compromised and this cannot be allowed

In summary the proposal is of poor design, fails to consider the wider community and will create risk through the additional traffic navigations.

Sustainability

We are very concerned regarding sewerage disposal given the proposal under consideration together with those developments already approved, Anglian Water have been moving waste via tankers for some time now without any obvious improvement to the basic infrastructure. We suggest the Council seeks a formal response from the utility company for them to confirm both current and future capacity levels for Langford .If this is not forthcoming we are prepared to issue an FOI request for it to be made publicly available

We would draw the council's attention to the Flood Statement that accompanies the proposal which fails to acknowledge past flood events in the immediate area and we would request these (which will be logged on the council's incidence systems) are urgently considered.

The Village Academy has confirmed they have 35 places in their forward plans which are clearly insufficient given those proposals that have already achieved planning consent. The proposal under consideration fails to acknowledge this situation.

The Pre-school capability within the village resides with The Owlets preschool group who are unable to meet any further demand, this is a key service.

The Travel plan within the proposal is not a plan at all but a series of politically correct statements, the fact of the matter is that the local bus network cannot support families most of whom will be commuting and returning home after the service has closed for the evening

We take great exception to the flawed conclusions "Housing needs in CBeds and Langford "which we trust the council will put aside. The statistics used to form its conclusions fail to take into account the progress the village has made in its planned housing capacity and just

repeats again the discrepancies within the local authorities land supply to gain some misguided support for the proposal.

In many of the supporting documents the developer makes reference to the Councils "Emerging Strategy" further supporting their proposals, as a Parish Council we are unaware of this strategy and in our view no credence can be assigned and it should be put aside.

In summary the proposal is totally unsustainable from several aspects and should be refused.

Other Representations:

2. Neighbours -
61 responses received
from the local
community.

Comments summarised below:

- loss of privacy to back of house (2 Flexmore Way)
- already experience problems with bus stop,
- 43 houses will bring extra children.
- increase in transport
- schools are already at capacity
- out of character with area
- extends into the Langford Triangle which is protected
- not enough parking places for proposed houses
- will set a precedent to develop triangle
- access onto Station Road inadequate
- lack of infrastructure to cope with new development
- Langford is a village and should remain so
- archaeological impacts from the development
- outside settlement envelope
- 3 storey houses not in keeping with area
- will reduce light to Flexmore Way
- poor layout
- has not been designated for housing by Parish Council
- consent already granted for new dwellings would push Langford over the edge.
- Consideration should be given to the approved developments
- Lower School and Nursery at capacity
- Langford is a Large Village: only small scale development is appropriate
- there is no benefit for the village from this development
- Station Road unable to cope with flow of additional traffic
- Utilities unable to cope with new development
- footpath from new development to Flexmore Way will attract crime

- clear intention of further development due to road layout
- brought property because it looked onto fields
- impact will be severe on existing properties
- current views will be lost
- will be overlooked by large properties and will lose daylight
- safety of children in terms of balancing pond
- Parking on Flexmore Way is already difficult - footpath will allow new residents to park in Flexmore and walk through.
- Overdevelopment
- development should be on the village outskirts
- possibility of flooding
- local amenities are at limits.
- land ownership/boundary issues.

3. SuDS team

Following detailed correspondence with the applicant and case officer regarding CB/15/02419/FULL Land North of Flexmore Way, Station Road, Langford, we would like to remove our previous objection dated the 27th July 2015 subject to this being addressed through the detail submitted with the technical note ref: E3420/TN1/tjw/25082015 (August 2015).

We would still like to request that details of the final detailed design, construction, and maintenance and management of the surface water drainage system proposed for the site be provided and therefore recommend the following conditions are applied to any planning permission. These are proposed in line with the following policy areas:

- Climate Change mitigation and adaptation: CBC draft development strategy Policy 48; Mid-Bedfordshire policy CS13; South Bedfordshire policy CS12.
- Green infrastructure and ecological enhancements: CBC draft development policies 56 and 57; Mid Bedfordshire CS18, CS17; South Bedfordshire policy CS10.
- Managing water quality and flood risk: CBC draft development strategy policy 49; South Bedfordshire policy CS12; Landscape character: CBC draft development strategy policy 58; Mid Bedfordshire policy CS16.
- Open space for healthy and sustainable communities: CBC draft development strategy policies 22 and 41; Mid Bedfordshire policy CS3; South Bedfordshire policy CS7.

4. Tree and Landscape Officer

The site at present is an area of grass pasture land. There are existing dwellings to the east and south, to the north the site boundary consists of mature hedging largely consisting of Hazel which is unusual and to the west the boundary consists of a ditch and early mature native planting in the form of a shelterbelt.

Supplied with the application is a tree survey and tree constraints plan which indicates the trees and boundary features on site along with the root protection areas. All trees on site have been categorised as C2 classification, although I would suggest that G27 would be considered a B2 category feature.

It is obvious looking at the Proposed Site Layout plan that a large number of the features/trees will be removed to allow the development which would be acceptable as the majority are of little significance. Of importance on the Landscape and Green Infrastructure Strategy plan (LGIS) is the retention of G27 which is to be protected throughout development with tree protection fencing in line with the Tree Constraints Plan. This feature is on the north boundary and indicative plan shows that only plot 23 is really likely to have any major encroachment issues. Is this hedgeline to be incorporated into the rear gardens of plots 23 to 34, if so is the intention to provide boundary fencing to these plots as to do so will require the hedgeline to be cut back.

The LGIS shows a reasonable area of public open space and a balancing pond, landscaping for this area should aim to be native species based making best use of potential wetland planting in the balancing pond area.

Plan is also included with Soft Landscape Proposals, the details of which would appear to be acceptable.

5. Landscape Officer

Landscape Character/ Visual Impact - this site forms part of the "Langford Triangle" - mixed agricultural land enclosed by residential streets, an enclave which I think is unique in Central Bedfordshire and which is important in terms of local distinctiveness and sense of place. This agricultural land has a valuable role in maintaining the quality of a village , so I regret the loss of land to residential development. However, I do not object to the development as aspects of the design, such as the setback of the housing from the boundary to the west helps to limit the urban influence, particularly night time lighting.

6. Sustainable Building Officer
- The proposed development should meet policy DM1 and DM2 requirements in regard to renewable energy and water efficiency standard. Should the planning permission be granted for this development the following planning conditions should be attached:
- Development to deliver 10% of its energy demand from renewable or low carbon sources;
- All dwellings to meet 110 litres per person per day water efficiency standard.
7. Green Infrastructure Officer
- The Parish Green Infrastructure Plan identifies this area as a priority for open public access, and creating community allotment space / play area with suitable access. In this context, the access to the open space from Flexmore Way is welcomed, to ensure that the open space is accessible to the existing community. The amounts of open space available should be assessed in line with Leisure Strategy requirements, and, if possible, space for community allotments and play should be incorporated into the design of the public open space.
8. Housing Officer
- I support this application as it provides for 15 affordable homes which reflects the current affordable housing policy requirement of 35%. The Strategic Housing Market Assessment (SHMA) indicates a required tenure split for sites meeting the affordable threshold as being 63% affordable rent and 37% intermediate tenure. From this proposed scheme that would make a requirement of 9 affordable rent units and 6 intermediate tenure units. I would like to see the units well dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect all units to meet all HCA Design and Quality Standards.
9. Highways Officer
- The revised proposal comprises a mix of a 2 bed bungalow, 4 x 3 bed houses, 13 x 4 bed houses and 9 x 5 bed houses for the open market together with 8 x 1 bed houses, 5 x 2 bed houses and 2 x 3 bed houses described as affordable.
- The proposed vehicular access to the site is from Station Road which in the vicinity of the site access is subject to a 30mph speed limit. The access is laid out in the form of a priority "T" junction and is sited some 50m north of the junction with Flexmore Way.
- The location of the proposed access can be considered acceptable in highway terms and the requisite visibility splays of 2.4 x 43m can be achieved in either direction.

If permission is granted to this proposal, the existing access on the site frontage will be redundant and will need to be formally "stopped up". This matter can be dealt with by condition.

The development access road will be 5.5m in width with 2.0m wide footways on either side. A minor access road will serve Plots 18 to 41 and this will be 4.8m in width with 2.0m wide footways on either side.

There are turning areas close to the ends of both the major and the minor access roads which are large enough to accommodate the refuse vehicle, a fire appliance and a delivery vehicle.

The on-plot parking provision has been assessed against the Council's parking standards. Each dwelling is provided with at least the minimum number of spaces for the size of dwelling and the garages are considered large enough to be considered usable. Some 12 visitor parking spaces are distributed throughout the development, thus ensuring compliance with the provision of 0.25 spaces per unit.

The application is accompanied by a Transport Statement and a Framework Travel Plan. I assume that colleagues in Sustainable Transport will comment on the details of the Travel Plan and therefore I only comment in detail on the Transport Statement.

The trip rates for the proposed development site are based on traffic surveys undertaken at the junction of Flexmore Way and Station Road. i.e. the peak hour observed traffic flows have been divided by the number of dwellings served by Flexmore Way to produce the peak hour trip rates. It is noted that the derived rates differ marginally from those traditionally obtained from the TRICS database.

The base traffic flows obtained from the junction survey counts have been "growthed" using TEMPRO to both 2015 (the base year) and to 2025 the Design Year. The "committed development" of 110 dwellings further along Station Road has been included in the traffic analysis and the development traffic has been assigned and distributed on the local road network using the existing turning proportions derived from the traffic counts.

The methodology used can be considered acceptable for the scale of development proposed.

The impact of the new development on the local road network has been assessed at the junctions of Church Street/High Street/Station Road and Cambridge Road/Station Road using the TRL program ARCADY in the "without" development scenarios for the base year (2014) and for 2015 and the "with" development scenarios for 2015 and 2025.

A similar exercise has been undertaken at the site access junction with Station Road using the TRL program PICADY.

The results of the operational assessment demonstrate that all three junctions will operate well within their theoretical capacity in both the morning and evening peak periods throughout the assessment years.

The Transport Statement also advises that the Council's consultant, Amey, provided the Personal Injury Accident Data for the area surrounding the development site for the period 1st April 2009 to 31st March 2014. These records indicate that there have been no collisions resulting in personal injury reported to the Police during that period.

Given that the proposed development site will be laid out and constructed in accordance with the Council's requisite standards and that the development traffic can be satisfactorily accommodated on the local road network, it is considered that the proposed development will not result in a detrimental impact in terms of highway safety.

10. Archaeology
Officer

No objection subject to conditions

11. Adult Social Care
(MANOP)

Our view is that the needs of older people should be considered as part of this proposal and, should approval be given, we would strongly support a significant proportion of houses in the scheme to be suitable for older people, by incorporating some or all of the design features mentioned above.

12. Environment
Agency

We have no objection to this application.

13. Anglian Water

Informative note to be included. Foul drainage from this development is in the catchment for Poppy Hill Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows. Notice should be served is the developer wishes to connect to sewerage network.

- Should surface water drainage include interaction with Anglian Water assets we should be consulted to ensure an effective surface water drainage strategy is prepared and implemented.
14. Internal Drainage Board Storm water disposal is to an AWSL sewer. Confirmation should be sought from Anglian Water that a suitable surface water sewer exists and can accommodate the additional flows. Surface waster disposal should be agreed prior to commencement of the main works.
15. Education Officer No objections - comments relate to developer contributions towards school expansion within the area.
16. Pollution On the basis of the findings, conclusions and assumptions of the September 2014 Hydrock Ground Investigation, potential contamination concerns in terms of suitability for use and the health of future site users can be considered satisfied. Responsibility for reporting and resolving any unexpected contamination and related risks that may arise remains with the developer and site owner.
17. Public Protection No objections to raise

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the character and appearance of the area
3. Neighbouring amenity
5. Highway considerations
6. Other considerations

Considerations

1. Principle

- 1.1 The site lies for the most part outside of the settlement envelope of Langford and is therefore located in land regarded as open countryside. The adopted policies within the Core strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4). Langford is designated as a large village where Policy DM4 limits new housing development to small scale development. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether there are any material considerations which outweigh the non compliance with Policy.
- 1.2 At the time of writing this report the Council can demonstrate a five year housing supply, therefore in accordance with Paragraph 49 of the NPPF, housing supply policies within the Core Strategy and Development Management Policies Document are not out of date.

1.3 The site is adjacent to and partly within the Settlement Envelope. To the east and south the site directly adjoins existing residential development. Given the layout of the Langford 'triangle', the application site does not extend outwards into the surrounding countryside. It does extend the built form into the triangle however this area of land is surrounded by development and as such the application site would not be visible from the wider landscape surrounding Langford. The site appears closely related to Flexmore Way which extends inwards within the 'triangle', and Station Road. Nevertheless the triangle area is outside the settlement envelope.

1.4 Concern has been raised relating to the infilling of the 'triangle' and the harm this would have on the village and the precedent it would set. The proposal would not infill the whole of the triangle, but would extend the built form in an already built up area but the development would extend no further to the west than Flexmore Way (to the south). The views of the development would be somewhat limited from the main areas of the village therefore harm to the open countryside would be to a lesser degree than an application site on the edge of the village. Concerns regarding precedent are not considered to be substantiated as each application should be dealt with on its own merits.

Affordable Housing

1.5 The proposal would provide 35 % Affordable Housing in accordance with Policy CS7. Of the 15 homes 63% would be for affordable rent and 37% intermediate tenure secured via a S106 Agreement. The proposal is therefore considered acceptable in this respect.

Sustainability

1.6 Concern has been raised regarding the sustainability of the proposal. Langford is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various community facilities in Langford including shops, pubs, lower school, pre-school facilities, Church, Village Hall, doctors surgery and community clubs. There is also a bus service through the village to Biggleswade and Hitchin.

1.7 It is acknowledged that Langford has seen a number of proposals for additional residential properties, most recently the outline consent for 110 dwellings in Station Road on land almost opposite the site (ref: APP/P0240/A/14/2228154). In the Appeal for Station Road, while the site was also outside the settlement envelope, in allowing the scheme the Inspector felt that Langford was a sustainable location where new development could be accommodated without resulting in significant harm to the character and appearance of the area, the highway network and the community infrastructure. The Inspector noted *"I therefore conclude that the appeal proposal would amount to sustainable development in the terms of the Framework."*

1.8 As advised above, Langford is classified as a Large Village where small scale housing and employment uses will be permitted together with new facilities to serve the village. Although small scale development is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. Langford is one of the larger villages within the

district where there is a number of facilities and services therefore the scale of the proposal is considered to be appropriate.

- 1.9 Concerns have been raised regarding the capacity of the School in the village. There have been no objections to the scheme from the Education team. Developer contributions are sought towards expansion of the existing school sites.
- 1.10 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (and Section 70 (2) of the Town and Country Planning Act 1990) requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 1.11 Given the location of the site, there is a general presumption against new development, however the site is immediately adjacent to the Settlement Envelope and bound by existing housing on 2 sides of the site, therefore any harm to the open countryside would be limited. The extension of the village into the 'triangle' would result in some harm to the character of the village, however the harm would be limited to a small section of the triangle adjacent to existing development in Flexmore Way.
- 1.12 In this case, the additional housing and the provision of the affordable housing units would be a benefit by adding to the 5 year supply. The visual impact would be limited, and the proposal would not be out of character with the surrounding pattern of development, and these factors would outweigh any adverse effects from the development. The proposal is therefore acceptable in principle as it would meet the sustainable development tests as set out in the NPPF.

2. Affect on the character and appearance of the area

- 2.1 It is proposed to demolish No 90 Station Road to create access to the application site. Station Road is of mixed character with bungalows and two storey dwellings of varying age and design. There is no particular architectural styles that would inform the design of the proposed development however the immediate surroundings are shallow pitch late 1960's semi detached dwellings in Flexmore Way and semi detached hipped roof dwellings opposite in Station Road.
- 2.3 The site adjoins Flexmore Way on the southern boundary and fills a square of land up to no 78 Station Road. To the north of the site there is development which extends beyond the Station Road building line namely Mager Way and Bentley Close however they do not extend back as far as the development proposal.
- 2.4 The site comprises 42 dwellings of predominately detached two storey dwellings, some with rooms in the roof and dormer windows. Plot 42 is a detached bungalow and located to the rear of 88 Station Road. Plots 3 and 4 are semi detached one and a half storey dwellings. There are 8 one bedroom units, 5 two bedroom units and 2 three bed units which are proposed to be affordable housing units. All other dwellings are a mix of 3, 4 and 5 bedroom detached dwellings.

- 2.5 The Landscape Officer has raised concerns regarding the loss of the triangle, however there are no objections to the design and layout of the development as the dwellings are set back from the land within the triangle and separated by a balancing pond and landscaped public open space.
- 2.6 Concern has been raised regarding the overdevelopment of the site and that the dwellings, particularly those with rooms in the roofspace, are out of character with the surrounding area. In terms of density, the site has an approximate density of 23 dwellings per ha which is acceptable in villages or towards the edge of settlements and in accordance with the Council's Design Guide. Whilst the design of the dwellings is not similar to the adjacent development, this in itself is not a reason to refuse proposals for new residential estates. Nine of the proposed dwellings have rooms in the roof however they are of two storey design with dormer windows in the roof space. This type of housing is not uncommon in new development.
- 2.7 Generally the layout of the development is considered acceptable. There are focal points and buildings that turn corners. Each property is provided with a garden area approximately 80-90 sq m, except for the one bed units which have an area of communal amenity space and this accords with the Council's Design Guide. Garages and parking are also compliant with the Design Guide, however tandem parking has been provided which should generally be avoided as set out in the Design Guide. Although this may be the case, tandem parking is not considered to be a sufficient refusal reason where the layout would be acceptable in all other respects.
- 2.8 The application site is enclosed on three sides, east and south by existing residential development and north by a densely landscaped field boundary. While the site is partly within the 'triangle' the immediate surroundings are residential in character therefore the development would be closely related to existing housing.
- 2.9 It is accepted that there would be an impact on the character of the area, however given the location of the site the harm to the environment would be limited and therefore the proposal would comply with the environmental strand of NPPF.
- 2.10 Given the limited harm to the character and appearance of the area the proposal would not conflict with Policy DM3 of the Core Strategy and Development Management Policies Document and is therefore acceptable in this respect.

3. Neighbouring amenity

- 3.1 The application site extends along the rear boundaries of the existing properties in Flexmore Way. The development would be to the rear of Nos 2 - 8, to the side of Nos 10 and 14 and then to the rear of 16 - 32. No 57 Flexmore Way lies at the end of the hammer head in Flexmore Way; the site adjoins the side boundary of this property. In Station Road, the site is to the rear of Nos 76 - 88.

- 3.2 The proposed layout of the site has been amended to reduce the impact on neighbouring amenity. Clearly there would be an impact on the amenities of the above properties as they currently enjoy views of open fields and this would be lost should the development proceed. In terms of the view, the right to a view over third party land is not a planning consideration.
- 3.3 Plot 1 and 2 would be to the rear of No 2 - 8 Flexmore Way. They would be separated by gardens and are around 12-13m from the rear of the existing dwellings. Revised plans have removed a first floor window facing onto the garden of No 2, as such no windows are proposed that would directly look into the gardens and result in loss of privacy.
- 3.4 There would be an impact on 8 Flexmore Way due to the location of Plot 2 and Plot 3 which are to the rear and side of the existing dwelling. However Plot 2 would be sited around 2m from the rear garden fence of No 8 and its narrow two storey gable some 13m from the rear elevation. Plot 3 would be immediately to the west of No 8 but separated by the parking spaces and single garage. Plot 3 has been reduced in height to a one and a half storey semi detached dwelling to reduce the impact on No 8. While Plots 2 and 3 would have an impact on No 8 Flexmore Way, the impact is not considered to be so significant that it would warrant refusal.
- 3.5 Plots 5 and 6 are located to the side of No. 10 Flexmore Way. Given their siting, there would be some overlooking from first floor windows particularly to the garden area of No 10, however the proposed garage serving plot 5 would act as a screen therefore the overlooking is not considered to be to an unacceptable level.
- 3.6 The proposed dwellings located to the rear of No 16 to 32 Flexmore Way are sited 21m from the rear elevations of the properties in Flexmore Way. this distance accords with the Design Guide in terms of an acceptable relationship to reduce adverse overlooking. There are detached garages located close to the rear boundaries of 16 -32 , however given the scale and location of the garages, while they will be visible, they would not result in a loss of light or overbearing impact.
- 3.7 Plot 10 is positioned site on to the rear of No 32 and separated by the parking spaces and double garage. Plot 10 has rooms in the roof however no windows are directly facing the rear elevation of No 32 therefore no adverse loss of privacy would occur.
- 3.8 Plot 10 and 11 are sited to the side of No 57 Flexmore Way and have no first floor windows facing the rear garden area of 57. Therefore no adverse loss of amenity would occur given the relationship between the existing and proposed dwellings.
- 3.9 No 88 Station Road is a bungalow with a shallow garden. Plot 43 is located to the rear of this property, however it has been reduced in scale to a bungalow and therefore would not significantly impact on No 88. The roof area would be visible however there would be around 11m between the properties and given the height of the proposed bungalow, this is not an unacceptable relationship.

- 3.10 No's 78 - 86 Station Road back onto the proposed two storey dwellings and the one bedroom affordable housing units. There would be 21m back to back window separation which is considered to be an appropriate relationship. The one bedroom apartments would be closer to the existing dwellings however they are designed with a narrow windowless gable that is located between No 82 and 82 Station Road as such the impact is limited.
- 3.11 Within the site layout itself, the dwellings are typically designed and are provided with adequate amenity space and parking provision.
- 3.12 Concerns have been raised regarding the proposed footpath link between the new development at the western end of Flexmore Way. The link provides connectivity but can be restricted to pedestrian use only to prevent vehicles using the access.
- 3.13 While it is accepted that there would be a visual impact on the existing residents in both Station Road and Flexmore Way, the proposal is designed to meet the requirements and spacings set out in the Councils Design Guidance. It is therefore considered that the proposal would not adversely affect the amenities of the existing adjacent occupiers to a to such a degree that would be considered unacceptable and a reason for refusal. The proposal is considered to comply with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

4. Highway considerations

- 4.1 There are no objections to the development from a Highway safety point of view. Adequate visibility can be achieved at the access point and the proposal has provided parking and visitor parking in accordance with the standards set out in the Councils Design Guide.
- 4.2 Given that the proposed development site will be laid out and constructed in accordance with the Council's requisite standards and that the development traffic can be satisfactorily accommodated on the local road network, it is considered that the proposed development will not result in a detrimental impact in terms of highway safety.

5. Other Considerations

5.1 Archaeology

An ongoing archaeological field evaluation on land to the west of Station Road has identified archaeological features which on morphological grounds could represent later prehistoric, Roman or Saxon and medieval settlement. Therefore, the application site should be considered to have high potential to contain remains relating to the archaeological landscapes that have been identified in the Ivel Valley system.

- 5.2 The proposed development will have a negative and irreversible impact upon any surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological interest. This does not present an over-riding constraint on the development providing that the

applicant takes appropriate measures to record and advance understanding of the archaeological heritage assets.

5.3 Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets. The planning application includes a *Heritage Statement* (CgMs May 2015) supported by the results of a geophysical survey (Stratascan August 2105) and a trial trench evaluation (Albion Archaeology June 2015) in conformity with the requirements of paragraph 128 of the *NPPF*. There are no objections to the development however further investigation should take place prior to any work commencing on site. In order to secure this a condition can be attached to any permission granted in respect of this application.

5.4 Drainage

The Sustainable Drainage Team have withdrawn their original objection to the proposal following negotiations with the developer and amendments to the proposed surface water drainage strategy. There are no objections to the scheme subject to details being approved and implemented as a condition.

5.5 This response is echoed by the Internal Drainage Board and the Environment Agency.

5.6 Following concerns relating to the capacity of the existing sewerage and water services, Anglian Water have been consulted on the proposal and have no objections to the development in terms of network capacity.

5.7 Ecology

The site is currently used as a paddock with fencing and stables. It is not considered that the land would have high ecological value, however bird and bat boxes would provide a net gain for Biodiversity in accordance with the *NPPF*.

5.8 Agricultural land

Concerns have been raised regarding the loss of good grade agricultural land. The application site is defined as Grade 3 Agricultural Land on the agricultural land classification maps which is classed as being 'Good'. (Grade 1 being the best and most versatile). Paragraph 112 of the *NPPF* advises:

“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.”

5.9 While the loss of the agricultural land is a material consideration, in this case the land is not being used for agricultural purposes, as such the development would not result in an unacceptable loss of agricultural land such that the proposal would be considered unacceptable.

5.10 S106 contributions

The Education Officer has confirmed there are no objections to the development however contributions are required to help towards funding expansion projects.

5.11 Education

- a. Middle School Contribution – Henlow VC Middle School expansion - £99,707.71
- b. Upper School Contribution – Samuel Whitbread and Etonbury Upper School expansion - £122,268.06
- c. Early years - £27,726.76

5.12 Waste Management Contribution

£46 per dwelling towards equipping all new residential properties with kerbside and domestic waste/recycling containers.

5.13 As well as financial contributions the S106 agreement seeks to secure other pertinent issues. In this instance the S106 would seek to secure the provision of the to secure the affordable housing particulars including numbers and tenure. The contributions towards Education are considered to be a benefit of the scheme and would off set the impact of the development on the education service.

5.14 Concern has been raised regarding the ownership of the site and the true boundaries. The applicant has served notice on 90 Station Road. While the comments regarding boundary issues are noted, land ownership and boundary disputes are not a material planning consideration.

Recommendation:

That Planning Permission be granted subject to the following conditions and the completion of a S106 Agreement securing financial contributions and Affordable Housing.

RECOMMENDED CONDITIONS / REASONS

- 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 development shall commence, notwithstanding the details submitted with the application, until details of all external materials to be used in the construction of the buildings 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 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 accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 4 No development shall commence until a scheme detailing the final design, construction and associated management and maintenance for the proposed surface water drainage system for the site, based on the agreed Flood Risk Assessment (FRA), technical note (ref E3420/TN1/tjw/25082015), correspondence with Anglian Water, and the principles and techniques contained within the CBC Sustainable Drainage Guidance; has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

Reason: Required prior to the commencement of the development to prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009)

- 5 Prior to the commencement of any construction works of the development hereby approved a landscaping scheme, to include all hard and soft landscaping and boundary treatments, 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 building (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or**

are destroyed during this period shall be replaced during the next planting season with others of a similar size and species.

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

- 6 Prior to the commencement of any construction works on the site a scheme detailing on-site equipped play provision and details of the arrangements for the future maintenance of the play equipment shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of any dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory provision for play facilities to serve the development in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 7 **Prior to the commencement of construction work hereby approved details of any external lighting to be installed, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall 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 Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 8 **No construction work on the buildings hereby approved shall commence before details of how the development will achieve a reduction in carbon emissions of at least 10% more than required by current Building Regulations through the use of 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: Required prior to commencement to ensure the development is energy sufficient and sustainable in accordance with Policy DM1 and DM2 of the Core Strategy and Development Management Policies Document (2009).

- 9 No part of the development shall be occupied until a site wide travel plan has been submitted to and approved in writing by the council, such a travel plan to include details of:
- d. Baseline survey of site occupants in relation to these current/proposed travel patterns;
 - e. Predicted travel to and from the site and targets to reduce car use.
 - f. Details of existing and proposed transport links, to include links to both

pedestrian, cycle and public transport networks.

- g. Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport.
- h. Detailed 'Action Plan' to include specific timetabled measures designed to promote travel choice and who will be responsible
- i. Plans for monitoring and review, annually for a period of 5 years.
- j. Details of provision of cycle parking in accordance with Central Bedfordshire Council guidelines.
- k. Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome pack to include:
 - a) site specific travel and transport information,
 - b) details of sustainable incentives (e.g. travel vouchers)
 - c) maps showing the location of shops, recreational facilities, employment and educational facilities
 - d) details of relevant pedestrian, cycle and public transport routes to/ from and within the site.
 - e) copies of relevant bus and rail timetables together with discount vouchers for public transport and cycle purchase.
 - f) details of the appointment of a travel plan co-ordinator.

No part of the development shall be occupied prior to implementation of those parts identified in the travel plan [or implementation of those parts identified in the travel plan as capable of being implemented prior to occupation]. Those parts of the approved travel plan that are identified therein 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: To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network in accordance with Policy DM3.

- 10 **No development shall take place 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, the scheduling and timing of movements, any traffic control, signage within the highway inclusive of temporary warning signs, together with on-site parking and turning of delivery vehicles and wheel wash facilities. The CTMP shall be implemented in accordance with the approved details for the duration of the construction period.**

Reason: Details are required prior to work commencing on site in order to minimise danger, obstruction and inconvenience to users of the

highway and the site.

- 11 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015, or any amendments thereto, 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 minimise the potential for on-street parking which could adversely affect the convenience of road users.

- 12 **No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. The written scheme shall include details of the following components:**

- **A method statement for the investigation of any archaeological remains present at the site;**
- **A outline strategy for post-excavation assessment, analysis and publication;**
- **A programme of community engagement**

The said development shall only be implemented in full accordance with the approved archaeological scheme and this condition shall only be fully discharged when the following components have been completed to the satisfaction of the Local Planning Authority:

- **The completion of the archaeological investigation, which shall be monitored by the Local Planning Authority;**
- **The submission within six months of the completion of the archaeological investigation (unless otherwise agreed in advance in writing by the Local Planning Authority) of a Post Excavation Assessment and an Updated Project Design, which shall be approved in writing by the Local Planning Authority.**
- **The completion within two years of the approval of the Updated Project Design (unless otherwise agreed in advance in writing by the Planning Authority) of the post-excavation analysis as specified in the approved Updated Project Design; preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report;**
- **The completion of the approved programme of community engagement.**

Reason: (1)In accordance with paragraph 141 of the NPPF; to

record and advance the understanding of the significance of the heritage assets with archaeological interest which will be unavoidably affected as a consequence of the development and to make the record of this work publicly available.

(2) This condition is pre-commencement as a failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework (NPPF)*

- 13 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority details that the approved scheme has been checked by them and that the entire surface water drainage system has been correctly and fully installed as per the approved scheme.

Reason: To ensure that the entire system will be operationally ready at all times and functions within the performance requirements; that the operation of the system is safe, environmentally acceptable, and economically efficient; that as far as possible the failure of one section of a drainage system will not adversely affect the performance of the other parts.

- 14 No development shall begin until details of the junction between the proposed estate road and the highway have been approved by the Local Planning Authority and no building shall be occupied until that 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 of the proposed estate road.

- 15 No dwelling shall be occupied until visibility splays have been provided on each side of the junction of the access road with the public highway. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access road from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction.

Reason: To provide adequate visibility between the existing highway and the proposed access and to make the access safe and convenient for the traffic that is likely to use it.

- 16 No development shall begin until the detailed plans and sections of the proposed access road, 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.

- 17 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.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

- 18 No works to the construction of the dwellings hereby approved shall take place until details have been submitted to and approved in writing by the Local Planning Authority of proposals to integrate a minimum total of 10 integral bat and bird boxes into the elevations of the buildings hereby approved and construction of the dwellings shall be carried out in accordance with the approved details.

Reason: To ensure the development provides an enhancement and net gain to biodiversity in the interests of the policies within the National Planning Policy Framework.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbered S247_110, S100_131, S247_211, S3694/01, S247_100 C, S100_130 B, S247_200 C, S247_210 C, S247_101 C, GL0409 01B, BWB2 2--5, P382-EB5, P341-WD5 sheet 1, P341- WD5 sheet 2, H336--5 sheet 1, H336--5 sheet 2, DWB4 6--5 sheet 1, DWB4 6--5 sheet 2, H421--5 sheet 1, H421--5 sheet 2, H485--5 sheet 1, H485--5 sheet 2, H469--X5 sheet 1, H469--X5 (2013) sheet2, H536--Y5 sheet 1, H536--Y5 sheet 2, H597--5 sheet 1, H597--5 sheet 2, SH11, SH11 PLANNING GF PLAN, SH11 PLANNING FF PLAN, SH27--X5, SH39--X5, XSG1F, LDG1A, XDG2S, XTG2S, Landscape and Visual Impact Assessment ref BIR.4840 REv A dated Nov 2015, Tree constraints plan D14-3125, Hydrock Desk Study and Ground Investigation ref R/14689/001 Sept 2014, Transport Statement June 2015 E3315-langford-ajr-tsreport-0615 rev3, Utilities Report E3315-SRL-njb-utilities rev1 May 2015, Travel Plan E3315-langford-ajr-travelplan-0615 rev3, Flood Risk Assessment E3315-SRL-mjl-frareport-rev2, Geophysical Survey Report ref J7239 Aug 2014, Heritage Statement May 2015, Archaeological Evaluation ref 2015/74 Version 1.0, Sustainability Statement Issue 04 Sept 2015, Technical Note 1_Langford Suds 25082015.

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

INFORMATIVE 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 35 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the reason for any condition above relates to the Policies as referred to in the Core Strategy and Development Management Policies Document (2009)

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 5, Article 35

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) Order 2015.

DECISION

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