

Item No. 8

APPLICATION NUMBER	CB/15/03172/OUT
LOCATION	Land rear of 16-36 Newbury Lane, Silsoe, Bedford, MK45 4ET
PROPOSAL	Outline application for a residential development of 23 dwellings including access road and sewers.
PARISH	Silsoe
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Alex Harrison
DATE REGISTERED	24 August 2015
EXPIRY DATE	23 November 2015
APPLICANT	Canton Ltd
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Called in by Councillor Graham <ul style="list-style-type: none">• Outside of settlement envelope• Road has high volume of speeding commuter traffic• Silsoe has absorbed 583 new homes since 2000 and infrastructure is at breaking point.

RECOMMENDED DECISION

Outline Application - Approval recommended

Reason for Recommendation

The proposal for 23 dwellings is 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 Silsoe and is adjacent to development on three of its sides, 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 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 comprises approximately 1.2ha of land located adjacent to the northern extent of the defined settlement envelope for Silsoe. The principle parcel of land that comprises the site abuts residential curtilages of existing dwellings to the east, south and western boundaries. The northern boundary abuts arable farmland and the land level rises to the north from this point. The site also includes part of the access driveway that serves 36, 36a and 36b Newbury Lane and part of their residential curtilage as well. The final part of the site is an existing access track that runs between 26 and 28 Newbury Lane.

The principle parcel of land is undeveloped and is a mixture of overgrown and unkempt landscaping at the eastern part and what appears to be unauthorised garden extensions at the western part.

For planning purposes the site lies in open countryside and is not located within a Conservation Area. A scheduled Ancient Monument is located approximately 50 metres to the west of the site.

The Application:

Outline planning permission is sought for the construction of 23 dwellings on the site including access road and sewers. All matters are reserved aside from access but the application includes an indicative layout to demonstrate how development could be accommodated on the site.

Access is to be gained by adapting the existing driveway access that currently serves 36, 36a and 36b Newbury Lane. The adaptation will lead to a 4.8m wide access road passing between 36a and 36b into the site. Replacement driveway and parking spaces for the existing dwellings are provided as a result. The scheme proposes 8 affordable units which is provided at 35% of the overall scheme.

Since the original submission of the application additional information in the form of a sustainability statement was submitted and an amended indicative site layout was also submitted.

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

Relevant Planning History:

None

Consultees:

Silsoe Parish Council

Initial submission

The planning application is made in outline but is supported by a number of very detailed technical reports. Unsurprisingly, these seem to show a lack of “technical” problems arising from the proposed development, for example in relation to highways, flood risk, wildlife, trees and contamination. Although they are voluminous, these reports appear to reach rather obvious conclusions – for example, the flood risk assessment concludes, among other things,

that “the risk of the site flooding from the sea appears to be low”.

The absence of concern (or the potential to mitigate problems) on these grounds does not, however, overcome certain fundamental objections to the scheme.

Firstly, it must be emphasised that the site lies outside the built-up limits of Silsoe. The lawful use of the land is evidently use as agricultural land, even though it has been neglected. It does not appear to be actually in use for amenity purposes, which would, in any case, be unlawful, since planning permission has not been obtained for such a change of use. Thus the development of the land would be clearly contrary to Development Plan policies and would, moreover, erode the countryside in this part of Bedfordshire. That objection would be even stronger, of course, if the site were located in the Green Belt but is nevertheless a real ground of objection, irrespective of the “visibility profile” of the site. The development of the site would expand the “sprawl” of the village of Silsoe, expanding into the countryside in a way that is inherently undesirable.

Secondly, account must be taken of the excessive scale of development that has been imposed on Silsoe in recent years, due to the redevelopment of the “brownfield” site at Cranfield University (originally the National College of Agricultural Engineering), on the southern edge of the village. There was, of course, special justification for that development, due to its particular nature (unlike the proposed development at Newbury Lane, which would be on a “greenfield” site). Nevertheless, the scale of the Cranfield University

housing development will have imposed a strain on the social cohesion of the village which should not now be exacerbated. In any case, the number of houses that have recently been built in Silsoe make it obvious that that there is not a particular need for development in the village at this time.

Thirdly, the scale of the proposed development, on open land in the countryside, is such that it should only be contemplated in the context of a proper planning review of potential sites across the District. As the planning officer points out, sound planning is not based on the principle “first come, first served”. It is by no means clear that the site at Newbury Lane would be the best site in the District or even in Silsoe. Reasonably up-to-date planning policies are in place for Silsoe, namely the ‘Central Bedfordshire Core Strategy and Development Management Policies Local Development Framework (North)’ (adopted in 2009) and the ‘Central Bedfordshire (North) Site Allocations Development Plan Document’ (adopted in 2011). Both cover the period to 2026. While it is true that further policy work is necessary and that the ‘Development Strategy for Central Bedfordshire’ has been quashed in the High Court, it can confidently be expected that work on the new planning policy document will proceed more quickly, in spite of this setback, since preparatory work has already been undertaken.

In short, there are clear reasons why this development should not be allowed to proceed as now proposed. It is clearly contrary to current Development Plan Policy (notably Policy DM4 of the adopted Core Strategy) and the absence of contentious technical issues does not overcome the fundamental objections to the scheme, which do “significantly and demonstrably” outweigh the benefits of the proposals.

Highways

Original Submission

Fundamentally this proposal has been the subject of pre-application discussion and I am able to confirm that there is no fundamental highway reason to justify and sustain an objection to the principle of this proposal. The application is supported by a Transport Statement detailing the traffic generation and distribution that confirms that the access and surrounding highway network has sufficient capacity to accommodate the traffic movements from the new development. The submitted indicative layout is the same as that presented at the pre-application stage and will require amendment to make the scheme Design Guide compliant

With regard to accessing the site the submitted plans

indicate a junction arrangement onto Newbury Lane that is compliant with design standards in terms of layout and visibility splay provision with the exception of the width of footways which would need to be 2.0m wide.

In these circumstances the following highway conditions and advice notes are recommended should the grant of planning permission be considered.

Following amendments

Whilst I stand by my previous response that the principle of residential on this site is acceptable I note that the submission maintains reference to narrow footways alongside the estate road.

In view of the fact that access is not reserved I think it prudent to seek a detailed plan of the access junction onto Newbury Lane to demonstrate that a suitable junction arrangement can be achieved within the red line area and not encroach onto third party ownership.

Sustainable Urban
Drainage

Original Submission

No comments received.

Following amendments

The proposal would only be acceptable if the points below are acted upon with the provision of the final sizing, location, performance and maintenance details at the final detailed design stage, and the planning conditions recommended below are secured.

1. Please note that we do not support the indicative master plan design and we strongly recommend that private land is not designed to abut the existing watercourse on the north west boundary of the site. The layout as it is currently proposed comprises a timber post and rail fence along the top of the existing drainage ditch. The Council currently has byelaws approved by Full Council that requires a 9m easement be provided on the developable side of a watercourse. This figure may be flexible subject to the required maintenance activities and access needed. The applicant must demonstrate in the final detailed design that there will be a sufficient buffer, in which no structure or feature will be erected, in order to manage risks for the future maintenance, management and function of the existing watercourse.

2. The proposal is subject to the infiltration capacity of the site being confirmed, indicative data held by the council indicates significant drainage constraints and the report '1475 – Drainage Strategy – Aug 2015' indicated variable rates of infiltration have been sampled. The use of

permeable paving should use site-specific design calculations allowing for the infiltration that occurs as water is stored. This should be provided with the final detailed design, using site specific infiltration and ground water monitoring tests done in accordance with BRE 365 in the locations of the proposed infiltration devices. A rate of no less than 10⁻⁶ should be demonstrated if proposal for total infiltration is to be pursued. Rates between 10⁻⁶ and 10⁻⁸ will be suitable for partial infiltration, in which case excess water should be drained to other drainage devices such as to the swale and/or the watercourse in accordance with the agreed peak discharge rate. Additionally, the highest recorded groundwater level must be greater than 1000mm below the bottom of the permeable sub-base, this is to allow filtration of pollutants in the soil below the pavement and also to prevent groundwater rising and reducing the available storage in the permeable sub-base. Construction, structural integrity and maintainability should also be demonstrated with the final detailed design.

3. We support the proposal to incorporate a swale into the surface water management train for the site, to provide additional attenuation and to reduce pressure on the use of permeable surfaces and challenges associated with variable infiltration rates. This advice is given in pursuit of the Council's 10 Local requirements for SuDS set out in its Surface Water Drainage SPD 2014, and should be demonstrated by the applicant with the final detailed design.

4. Please note that the Council has not adopted the role of a SAB and therefore this is not a viable route for adoption, as stated in para 5.10. Any responsibility for private drainage by householders should be made clear in the final maintenance arrangements.

5. Drainage arrangements for the adoptable roads should be confirmed with the Local Highway Authority.

Environment Agency

Original Submission

We consider that planning permission could be granted to the proposed development as submitted subject to conditions

Following amendments

No comments received.

Internal Drainage Board

Original Submission

Please note that the Board has no comment to make regarding the above planning application.

Following amendments

Please note that the Board has no comment to make regarding the above planning application.

Trees and Landscape

Original Submission

Proposal is for the development of this area of primarily grassland with scrub/small trees to include 23 dwellings and associated infrastructure.

Substantial information has been included with the application including a tree survey of the site. The intention appears to be to retain all Category B trees, mainly located around the site boundary except for a group within the site.

My pre application comments are below in italics :-

Proposal is for the construction of 24 dwellings and associated infrastructure on land that at present is open pastureland to the north and rear of properties in Newbury Lane, the north edge of the site overlooks open farmland.

A tree survey has been supplied with the application that identifies the majority of trees as Salix caprea, a relatively short lived tree the majority of trees on site are identified as category C.

Planning Statement indicates that there is the intention to retain a number of the B category trees on site where practical and we should encourage this approach. Mature and established trees add value to landscaping on new development sites and when supplemented by well chosen new planting can enhance new development sites.

North boundary is proposed on the Indicative Masterplan as be post and rail fencing overlooking open farmland, retention of west boundary and enhancement of east boundary with additional planting.

A great deal of information has been supplied with this pre application and looking through what it contains it would seem the principle with regards to trees and landscaping would appear to be acceptable with retention of quality trees and boundary planting and proposed new planting. We would require details of tree protection throughout construction and also details of new proposed landscaping and planting.

My only additional comments would be the addition and improvement of the north boundary indicated as post and

rail fencing. I would suggest a combination of new native species planting perhaps with additional standard native tree planting within it.

Full landscape detail to include species, sizes and densities of planting will be required.

Trees and hedgelines on site are to be protected throughout the development using tree protection fencing located at a distance and detail specified in BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations.

Following amendments

No additional comments

Landscape Officer

Original Submission

I have no objections to the principle of development, as described in the outline master plan, regarding landscape. I do have the following comments which I hope are of assistance:

The proposed treatment of the northwest site boundary to include low level stock style open fencing is a positive means of integrating the openness of the adjoining fields but I would suggest this boundary would benefit from additional tree planting using native species appropriate to the locality, planted in groups to break up / soften the image of built form, creating a more significant ecological treed edge whilst allowing views through below canopies. This would compliment the existing wooded landscape edge to Newbury Farm and north western boundary at Apple tree Close.

The inclusion of 2.5 storey development on this sensitive edge may not be appropriate.

The use of the way leave strip to the overhead lines as an additional footpath access increases permeability between the site and village and is a positive. The inclusion of informal play / pocket park and creating a vista through the development is a sympathetic feature. Is there potential to place the overhead cables under ground at least within the corridor within the development?

The landscape approach at the main vehicle access is also an attractive feature but I would urge this would need to tie in with the character of adjoining landscaped frontages along Newbury Lane to blend.

The future management and maintenance of this landscaped access and informal POS within the

development will need to be considered.

The use of swales and similar SuDS features to treat and convey surface water runoff to the northwest boundary and ditch is a positive and should be considered in relation to the site landscaping, how these two features can be integrated most successfully and compliment the development. It is not clear how the ditch is currently / will be maintained, mean of access and any necessary offset for maintenance?

Following amendments

Many thanks for opportunity to comment on revised master plan; the simplified arrangement of residential units to the north west of the site is a positive but I am concerned the site boundary at this location is still too open and requires trees / a stand of trees at least to help mitigate the visual impact of built form on the wider rural landscape to the north.

More natural / landscape drainage features need to be included in the SuDS / surface water drainage scheme and integrated within the site landscape scheme - including features such as bio retention areas / 'rain water gardens'.

Ecology

Original Submission

The 2014 Preliminary Ecological Appraisal does not identify any particular ecological constraints within the site. The site is currently open rough grassland with scattered trees and a dry ditch, it is well connected to the wider countryside and lies within the Greensand Ridge Nature Improvement Area

Looking at the indicative masterplan some trees are to be retained which is welcomed but photo 1 of the Design & Access statement shows a small hedge to the northern boundary beside the ditch. The masterplan shows post and rail fence along the ditch to 'maintain an open aspect'. Reinstatement of this hedge by laying and gapping up could still allow views over to open countryside but would enhance the ditch corridor to provide more value for wildlife.

SuDS do not appear on the master plan and given the ditch was dry at the time of survey the opportunity to increase flows in this should be explored through a SuDs scheme within the development. This will not only provide a sustainable drainage solution but would also contribute to ecological enhancement.

The NPPF calls for development to deliver a net gain for

biodiversity and areas of wildflower planting are welcomed. As the site lies within the GSR NIA the inclusion of acid grassland mixes should be explored. In addition to this I would wish to see any landscaping scheme utilise locally native tree species together with nectar rich planting to ensure a net gain for biodiversity. 5.100 of the Design and Access Statement lists 'bird and bat boxes and a number of hibernaculum' as ecological features to be incorporated into the development. These are not indicated on the master plan and further details would be required. I would wish to see integral bird and bat boxes to be provided by **condition** at a ratio of 1 per dwelling.

Following amendments

Having looked at the revised masterplan I welcome the addition of a native hedge on the northern boundary. I cannot identify further changes so my previous comments still apply as follows;

SuDS do not appear on the master plan and given the ditch was dry at the time of survey the opportunity to increase flows in this should be explored through a SuDs scheme within the development. This will not only provide a sustainable drainage solution but would also contribute to ecological enhancement.

The NPPF calls for development to deliver a net gain for biodiversity and areas of wildflower planting are welcomed. As the site lies within the GSR NIA the inclusion of acid grassland mixes should be explored. In addition to this I would wish to see any landscaping scheme utilise locally native tree species together with nectar rich planting to ensure a net gain for biodiversity. 5.100 of the Design and Access Statement lists 'bird and bat boxes and a number of hibernaculum' as ecological features to be incorporated into the development. These are not indicated on the master plan and further details would be required. I would wish to see integral bird and bat boxes to be provided by condition at a ratio of 1 per dwelling.

The Preliminary Ecological Appraisal (PEA) is dated August 2014, ecological data is accepted to remain valid for 2 years so if development does not commence before August 2016 I would advise the site is reassessed.

The PEA states that '...a precautionary approach should be adopted with regard to the protection of important species...to ensure that no important species are harmed in the development of the application site, it is essential that mitigation measures are adopted to protected

important species.'. As such I would request that a condition requiring the provision of a method statement for site clearance is adopted.

Green Infrastructure
Officer

Original Submission

The layout of the open space across a site of this scale does not maximise the potential green infrastructure benefits. The fragmentation of the open space is particularly negative. The retention of existing vegetation is welcome, but the location of the local play space is visually isolated, and not fronted onto by homes to promote surveillance. The location of the linear pocket park is determined solely by the utilities corridor, and as such is undevelopable land, not a green infrastructure corridor location chosen to maximise positive benefit. The play area and the linear corridor should be joined, and the total level of open space increased. Colleagues in Leisure Services will be able to comment in more detail about the quantity of open space proposed, but the Leisure Strategy standards would indicate a level of 8.46Ha per 1000 population. This would indicate that around 0.46Ha of the site should be designed as open space, in contrast to the 0.084Ha indicated by the masterplan. Extending the area of open space would enable linking and extending the proposed pocket park and play areas, which would have much more potential in delivering a net gain in green infrastructure. From information in the Design and Access statement (Fig 25), it looks like there would be potential in integrating a surface water conveyance channel within the pocket park, delivering multifunctional benefits.

Insufficient information is provided on the SuDS, and how they have been designed to maximise green infrastructure benefits. The current proposals (of permeable paving and water butts) offer no biodiversity or amenity benefits. Landscaped swales and a potential attenuation basin are suggested, but there is insufficient background work done on how the SuDS will be adopted / maintained. Some permeable paving, and all the water butts are in private gardens, so to ensure they continue to provide satisfactory levels of surface water management in the long term, the applicant would need to demonstrate how these features would be guaranteed to remain and function over the lifetime of the development.

Following amendments

The amendments do not affect issues highlighted in previous comments - previously made comments are therefore still applicable to this amended application.

Archaeology

Original Submission

The proposed development site lies within setting of the Newbury medieval moated site (HER 218, NHLE 1012701) and under the terms of the *National Planning Policy Framework* (NPPF) this is a designated heritage asset with archaeological interest.

This application is accompanied by a Heritage Impact Assessment (Lloyd Bore, October 2014) which concludes that while the proposed development would be within the setting of the Newbury moat Scheduled Monument (it lies around 60m to the west and south-west of the application area), it would not cause substantial harm to the site. This is an assessment that I broadly agree with.

The archaeological potential of the application area is unknown, however, investigations have been undertaken at two locations to the south-west of this site and neither has produced any evidence of surviving archaeological remains (Heritage Network, 2002 and 2004). This suggests that the archaeological potential of the proposed development site is likely to be low. Consequently, I have no objection to this application on archaeological grounds.

Following amendments

The changes to the indicative masterplan do not have an impact on my comment made on the 17th September 2015 and I have no objection to this application on archaeological grounds.

Historic England

Original Submission

No comments received.

Following amendments

Leisure Officer

Original Submission

Facility requirements for new/improved indoor sports and leisure centre facilities –

1 No contribution is sought from this development.

Recreation and Open Space –

- On site provision of Amenity is required to green the development and provide landscaping and informal space.
- The Indicative Masterplan shows an area of “Local Play Space” on the northern boundary which creates a “pocket park”. This site does not constitute “Play Space” as it does not provide any formal play equipment. Due to the proximity of the existing play

area, the Play provision for this development would be more appropriately achieved by a contribution to the PC's improvement of the High Street play area. A contribution equivalent to the play items which would be required for a LAP play area is sought i.e. approx.£12,000.

- The space allocated to the "Pocket Park" should be retained to provide the required on-site Amenity Space.

Playing pitch -

1 Based on an estimated occupancy of 2.4/dwg, Table 2

2 On-site provision of Outdoor Sporting Space is not possible on a development of this size, and no off site contribution is sought from this development.

NHS England

Original submission

Consideration has had to be made with regard to other localised development in an around this development.

With this in mind the following surgeries would be affected by the increase in the number of dwellings, as they are, the practices nearest to the development and their capacity to continue to take on additional patients, within the remit of the current premises, should be noted;

- Flitwick Surgery – which is deemed to be constrained at 27.86 patients per m2
- Oliver Street Surgery, Ampthill which has reached its capacity at 20.99 patients per m2
- Houghton Close Surgey, Ampthill which is currently under capacity at 16.75 patients per m2
- Greensand Surgery, Ampthill which is deemed to be constrained at 35.40 patients per m2
- Dr Cakebread and Partners, Shefford is currently under capacity at 17.70 patients per m2
- Dr Collins and Carragher, Lower Stondon is deemed as having capacity, but is nearing its constraints at 18.70 patients per m2

'Constrained' means a practice working to over-capacity for the size of their premises and the clinical space available to provide the required services to their patients. Practice in this situation would usually need to be re-configured, extended or in exceptional circumstances even relocated to absorb a significant number of new registrations.

Financial contribution requested.

Following amendments

No comments received.

Pollution Team

Original Submission

In summary having consulted with specialists within the team we have no objection or conditions to impose but please attach the following contaminated land informative to any permission.

Land contamination - Andre Douglas

On the basis of the findings and assumptions of the August 2014 EPS Geo-Environmental Assessment the proposal to not require a Phase 2 investigation is considered reasonable, subject to any unexpected contamination that may be discovered during development being reported to the LPA.

Following amendments:

No further comments.

Other Representations:

Neighbours

17 letters of objection have been received raising the following summarised issues:

- Loss of a greenfield site which would change its use.
- Impact on existing wildlife on site.
- Loss of views to the north
- Negative impact on the northern part of Silsoe
- Site has previously been rejected for allocation for residential development.
- Increased traffic on Newbury Lane
- Village does not have the facilities to support the development and the facilities that are here are beyond walking distance.
- Scheme does not provide social or economic benefits.
- Harm through noise impact to 24, 38 Newbury Lane
- Overlooking to 8,9 and 10 Apple Tree Close
- Construction noise impacts to residents on Newbury Lane and Apple Tree Close
- Access insufficient in width and on street parking on Newbury Lane makes it unsuitable.
- Health and safety risks from existing high voltage lines crossing the site.
- Cranfield University site has doubled the size of the village and the village has had enough development.
- No clarity on which obligations are proposed.

- Parish Plan limits housing development to brownfield sites and infill and this scheme is neither.
- Applicant has not satisfactorily engaged with the community
- Loss of trees would harm the character of the area and affect site drainage.
- Drainage statements demonstrate that the development
- Submitted highways statement under-assumes the number of vehicles generated from the development.
- No consideration into the impact on Newbury Manor Scheduled ancient Monument.
- Internet access is poor in the village and would be made worse.
- Scheme does not amount to sustainable development and the benefits are questionable.

Petition containing 114 signatures objecting on the grounds that Silsoe has already been the subject of significant housing increase, the development is not required will result in the loss of green field land and cause traffic problems on Newbury Lane.

1 letter of support has been received.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations
6. The Planning Balance and Sustainable Development

Considerations

1. The Principle of Development

- 1.1 The site lies for the most part outside of the settlement envelope of Silsoe and is therefore located on 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). Silsoe 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 material considerations 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, land 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 (the access is road is located within the settlement envelope and the area north of the existing gardens of the properties south of the larger parcel is outside). To the east, south and west the site directly adjoins existing residential development. The application site does extend outwards into the surrounding countryside however the northern boundary can be read as a continuation of the limits of curtilages to the east and west. The site would have a squaring off effect which, while a material consideration, is not sufficient to justify the site for development in isolation. What should be taken account of is that the site currently affords no public realm views and therefore does not play a significant role in defining the character of the area beyond its open countryside location. As such the application site would not be visible from within the existing village and would have limited views from the wider landscape surrounding Silsoe.
- 1.4 Affordable Housing
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.
- 1.5 Sustainability
Concern has been raised regarding the sustainability of the proposal. Silsoe is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various facilities in Silsoe including a shop, a pub, lower school, estate agents, Church, village hall, nursing home and community clubs. There is also a regular bus service through the village
- 1.6 It is acknowledged that Silsoe has been the subject of growth in recent years. Most recently the former Cranfield University site located to the south of the village has had development proposals approved for up to 345 new homes, new lower school, community sports hall and outdoor sports facilities and pitches.
- 1.7 As advised above, Silsoe 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. Silsoe is one of the larger villages within the district where there are a number of existing facilities and services, therefore the scale of the proposal is considered to be appropriate.
- 1.8 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.

- 1.9 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 3 sides of the site. The extension of the village into the open countryside would result in some harm to the character of the village, however the harm is not significant due to a lack of presence the site has in the public realm.
- 1.10 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 and this would outweigh any adverse affects 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. Impact on the character and appearance of the area

- 2.1 The existing site has no public realm presence and therefore in terms of streetscene, does not contribute in a significant way to the character of the area. The site lies outside the settlement but is considered to sit as an isolated entity in terms of its surrounding land uses. It bears no visual or use based relationship with the land to the north which is actively used for arable farming. A ditch separates the site from this land and the land levels notably change to a noticeable northerly rise compared to the relatively flat nature of the site. The Landscape Officer has considered the site and raised no objections to the scheme.
- 2.2 The site does encroach into the open countryside however, in this instance it abuts established residential curtilages of existing dwellings on three of its four sides. Its projection beyond the settlement envelope is such that it does not encroach beyond the extents of the adjacent sites and does not result in the loss of arable farmland. In this instance there is not considered to be any detrimental impact to the character of the area as a result of the development of this open countryside site for residential purposes.
- 2.3 A number of consultees have raised points or concerns over the indicative layout plan. As suggested this is indicative and would not form part of the approved plan. Looking at the merits of this layout a number of concerns are raised that would need to be addressed prior to the submission of any reserved matters application. For instance as an edge of village site there are a large number of 2.5 storey dwellings at the northern extent of the site which is not appropriate as it fails to provide a suitable transition from what would form the edge of the settlement to the open countryside. There are 2.5 storey dwellings to the east of the site however there are also a number of 1.5 storey homes to the east. It would be appropriate to include a condition limiting the scale of the development to a maximum of 2 storeys at the northern part of the site. In order to create a beneficial mix of dwellings it is also considered to be reasonable to condition a number of bungalows or dormer bungalow units on the site. The indicative layout has shown that 7 no 1.5 storey units are proposed and this is considered to be acceptable and a benefit of the scheme.
- 2.4 The indicative layout does not appear to have taken account of the advice within the Design Guide. For instance there are opportunities for termination points to be included in the design but they are not shown. Any reserved matters proposal will be expected to have taken account of the recommendations of the Design

Guide in order to be considered acceptable.

- 2.5 On the basis of the considerations made above the scheme is considered to not harm the character and appearance of the area when considering the principle of developing the site for residential purposes. Furthermore the indicative layout suggests that a development of 23 units on the site could be comfortably accommodated without having a harmful impact on the character and appearance of the area and the proposal is therefore considered acceptable in light of the policies of the NPPF and policy DM3 of the Core Strategy and Development Management Policies 2009.
26. The indicative layout shows the provision of a 'pocket park' and 'play space'. The Leisure Officer has advised that while this provision is acceptable in terms of providing amenity space it would not satisfy a requirement regarding play space and a financial contribution is required as well. This has been proposed by the applicant as part of their submission and is addressed later in this report. The current indicative layout does not show a favourable relationship between the open space and dwellings and will require revisiting before a formal submission is made.

3. Impact on amenity.

- 3.1 At this edge of village location, the site is immediately adjacent to the rear boundary fences of properties to the east, south and west on Newbury Lane and Apple Tree Close. The proposed Indicative Masterplan shows that the development has been proposed so that units are away from the common boundaries and private gardens about these areas providing suitable gaps to existing properties.
- 3.2 Although detailed design matters are reserved, the information submitted with this application shows that it would be possible to develop the site for up to 23 dwellings without resulting in a detrimental harm to the amenity of existing neighbouring residents by virtue of impact such as overlooking, loss of light or noise disturbance.
- 3.3 It was noted that the southern boundary of the site was subject to a variety of boundary types including a number of existing dwellings that have open boundaries with no enclosure. The Masterplan is annotated to show that new boundary treatments will be created along these common boundaries to establish greater security. This is considered necessary and would be a detail for reserved matters or condition.
- 3.4 In terms of providing a suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents.

4. Impact on highway and parking

- 4.1 No objection has been raised from the Highways Team on the principle of the access in its location. The access detail has required amending to widen one of the footpaths so that it can accommodate services. The amended plan shows

that this can be accommodated and therefore no objection is raised to the access.

- 4.2 The access as proposed can be achieved without resulting in a net loss of parking spaces for the existing dwellings that it passes. It is however necessary to include a Grampian style condition to provide a revised parking arrangement for the frontage property, No. 36 as this is not clear on the layout and is necessary to make the scheme acceptable in planning terms. Replacement parking provision for Nos 35a and 36b is proposed within the red line area as part of the development proposal and would be considered at reserved matters stage.
- 4.3 The indicative layout appears to show that the development can achieve parking provision for each unit in accordance with the standards set out in the Design Guide. It is not clear as to whether visitor parking has been accommodated or not however a reserved matters proposal would need to demonstrate this in a formal layout. A scheme of 23 dwellings would result in a need to provide 5 visitor spaces.
- 4.4 Objections have been received on the grounds of increased traffic in the area. The concerns are noted but the Highways Officer would have considered the scheme in light of the ability of the existing highway network to accommodate the increased traffic. As a result there are no objections on the grounds of highway safety and convenience.

5. Other Considerations

5.1 Flooding and Drainage

A number of objections have been received on this ground. The objection is noted however if a scheme were considered acceptable in principle it would be subject to ensuring details of suitable drainage systems are proposed and in place to accommodate drainage impacts. The application included details of sustainable urban drainage proposals which incorporates the existing ditch and swales and there are no objections to this in principle. It is necessary to condition the approval of drainage details on the outline consent to ensure the specific of a scheme are acceptable in accordance with the Council's adopted sustainable Drainage SPD and to ensure appropriate management and maintenance is secured.

5.2 Impact on the Scheduled Ancient Monument (SAM).

As stated the SAM lies some 50 metres west of the site and is separated from the site by existing residential development. At the time of drafting no comments have been received by Historic England. It is not anticipated that there would be any adverse comments but Members will be updated through the Late Sheet.

5.3 Planning Obligations

Spending Officers were consulted and comments returned from Education and Leisure. In addition, comments were received from NHS England as well. The following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.

Education:

£15,900.36 – Early Years

£53,001.20 – Lower School – Relocation of Silsoe Lower School
£53,332.03 – Middle School – Phase 2 capacity increase at Arnold Middle School
£65,399.19 – Upper School - capacity increase Harlington Upper School

Leisure:

Provision of additional play equipment at High Street Recreation Ground

Healthcare:

£14,283 – for reconfiguration of catchment area practices to accommodate new registrations.

The applicant has separately identified contributions of monies towards play equipment at the lower school and the provision of ‘enhanced 30mph speed limit signage, including Vehicle Activated Signage’. These are noted and will also form possible heads of terms but would be subject to discussions with relevant Officers as part of the negotiations.

6. Sustainable Development and the Planning Balance.

6.1 The application has been submitted with the argument that the Council is unable to demonstrate a deliverable 5 year supply of housing land. Therefore the scheme is proposed to meet an assumed housing need in the area. However, at the time of writing the Council considers that it is able to demonstrate such a supply. Paragraph 14 of the NPPF states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*

As such the development must accord with the development plan to be approved. In this case it is considered the development is contrary to policy DM4 of the Core Strategy and Development Management Policies and this policy is up to date as the Council considers that it has a deliverable 5 year supply of housing land.

6.2 However, consideration should still be given to the individual merits of the scheme in light of said presumption in favour of sustainable development. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental. The scheme should therefore be considered in light of these.

6.3 Environmental

The encroachment of built development beyond the settlement envelope results

in a loss of open countryside which is a negative impact of the proposal. However the land itself is not considered to have a public realm presence and does not make a significant contribution to the character of the area. The fact that it abuts residential development on three of its four sides shows that it is not isolated and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant and demonstrable harm.

6.4 Social

The applicant highlights the provision of housing as a benefit to the scheme. This is noted as a benefit although not one that is given as significant weight as it would if the Council was unable to demonstrate a 5 year housing land supply. Therefore some weight is given to this but it is not significant.

The scheme provides a policy compliant percentage of affordable housing and proposes a mixture of house types that can include bungalows or dormer bungalows. Both of these considerations are regarded as benefits of the scheme.

The report has detailed that Silsoe is regarded as a sustainable development and, while it is acknowledged that the village has already been the subject of proposals for significant growth, it is considered that the village offers the services and facilities that can accommodate the growth from this scheme.

The development will impact on local infrastructure and as a result the applicant is required, to offset these impacts, to enter into a S106 agreement to provide financial contributions for education projects and to provide play equipment to be installed within the village.

6.5 Economic

The economic benefits of construction employment are noted. As mentioned above financial contributions will be secured for education projects at schools in the catchment area of the site to help accommodate the level of growth anticipated from this scheme which is considered to be a benefit.

- 6.6 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 and this would outweigh any adverse affects from the development. In light of the comments made above it is considered even though the development is contrary to policy DM4 of the Core Strategy and development Management Policies 2009 the individual merits of this scheme are such that the proposal can be regarded as sustainable development in the eyes of the NPPF and, in accordance with a presumption in favour, should be supported.

7 Humans Rights/Equalities

- 7.1 Based on the information submitted there are no known issues raised in the context of Human Rights/equalities Act 2010 and as such there would be no relevant implications with this proposal.

Recommendation:

That Outline Planning Permission be granted subject to the completion of a S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

- 4 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements for construction vehicles, on-site parking, loading and unloading areas, materials storage areas and wheel cleaning arrangements shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy DM3 of the Core Strategy and Development Management Policies 2009.

- 5 **No development shall take place until details of the existing and final ground, ridge 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. Thereafter the site shall be developed in**

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 (2009).

- 6 **No development shall take place until details of hard and soft landscaping (including details of boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.**

Reason: To ensure that the appearance of the development would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 7 **No development shall take place shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 7 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 7.**

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009

- 8 **No development shall take place until details for the protection of the retained trees and hedgerows during construction in accordance with the Root Protection Areas identified in the 'Arboricultural Assessment' dated March 2015, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. There shall be no built development within the identified Root Protection Areas, branch spreads and tree shadows of the retained trees and hedgerows, in accordance with the Arboricultural Assessment' dated March 2015.**

Reason: To ensure retained landscape features are protected in the interests of ecological preservation and achieving high quality development in the interests of policy DM3 of the Core Strategy and Development Management Policies.

- 9 **The development hereby approved shall include the provision of a minimum of 7 bungalows or dormer bungalows across the site. These shall be detailed**

in any reserved matters application.

Reason: To ensure development reflects the housing mix as set out in the indicative layout and to ensure a suitable housing mix across the development in accordance with policy DM10 of the Core Strategy and Development Management Policies 2009.

- 10 **No development shall take place until a detailed surface water drainage scheme for the site, based on the agreed drainage Strategy (Ref: 1475 – Drainage Strategy – Aug 2015) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a restriction in discharge and the attenuation volume as stated for the 1 in 100 year rainfall event with a 30% allowance for climate change. An easement on the developable side of the watercourse shall be provided to ensure access for future maintenance. The scheme shall be implemented in accordance with the approved final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and the ground water level as well as details of how the scheme shall be maintained and managed after completion.**

Reason: To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 NPPF.

- 11 No dwelling hereby approved shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of a management and maintenance plan for the surface water drainage scheme approved under Condition 10. The scheme shall be implemented in accordance with the approved details and thereafter be maintained as per the plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written statement - HCWS161.

- 12 **No development shall take place until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing the works shall be carried out in accordance with the approved details prior to the occupation of any dwelling subsequently approved.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy DM2 of the Core Strategy and Development Management Policies 2009.

- 13 **No development shall take place (including ground works or site clearance) until a method statement for the creation of new wildlife features such as hibernacula and the erection of bird/bat boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting/establishment has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:**
- a) purpose and objectives for the proposed works;**
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);**
 - c) extent and location of proposed works shown on appropriate scale maps and plans;**
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;**
 - e) persons responsible for implementing the works;**

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter

Reason: To ensure development is ecologically sensitive and secures biodiversity enhancements in accordance with the National Planning Policy Framework.

- 14 **No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing how renewable and low energy sources would generate 10% of the energy needs of the development and also showing water efficiency measures achieving 110 litres per person per day. The works shall then be carried out in accordance with the approved details.**

Reason: In the interests of sustainability.

- 15 **There shall be no more than 23 residential units at the site.**

Reason: To ensure that the site is not overdeveloped.

- 16 **The reserved matters proposals shall not include any dwellings at the northern extent of the site that are more than two storeys in height.**

Reason — In order to provide an appropriate form of development in the interests of visual and residential amenity in accordance with policies CS17 and DM16 of Central Bedfordshire Core Strategy and Development Management Policies.

- 17 **No development shall take place until technical construction details of the access arrangements in accordance with drawing number 1475-02A have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and be in place prior to the occupation of the first dwelling hereby approved.**

Reason: To ensure the provision of appropriate access arrangements and associated off-site highway works in the interests of highway safety in accordance with policy DM4 of Central Bedfordshire Council's Core Strategy and Development Management Policies.

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1216/1 and 1475.02A.

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.

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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