

Item No. 06

APPLICATION NUMBER	CB/15/03329/OUT
LOCATION	Land Between 30 & 48 Hanscombe End Road, Shillington
PROPOSAL	Outline Application: Residential development for 15 dwellings access roads and sewers
PARISH	Shillington
WARD	Silsoe & Shillington
WARD COUNCILLORS	Cllr Ms Graham
CASE OFFICER	Alex Harrison
DATE REGISTERED	09 September 2015
EXPIRY DATE	09 December 2015
APPLICANT	Status Homes Ltd
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Parish Council objection to a major application. Approval recommended for a proposal which is a departure from the development plan
RECOMMENDED DECISION	Outline Application - Approval recommended

Reason for Recommendation

The proposal for residential development is contrary to Policy DM4 of the Core Strategy and Development Management Policies Document 2009, however the application site is adjacent to the existing settlement envelope of Shillington which is considered to be a sustainable location for planning purposes. The proposal would have an impact on the character and appearance of the area however this impact is not considered to be demonstrably harmful. 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 policy compliant affordable housing and the whole scheme would contribute to the Council's 5 year housing supply as a deliverable site within the period. Financial contributions to offset local infrastructure impacts would be sought for education and highways. These benefits are considered to add weight in favour of the development and therefore the proposal is considered to be acceptable.

Site Location:

The application is a rectangular parcel of land immediately adjacent to Hanscombe End Road. The site is relatively flat and open as it fronts the road. The northern and southern boundaries are adjacent to existing residential curtilages of neighbouring dwellings and the eastern boundary is defined by mature hedge planting.

The site lies outside the defined settlement envelope for Shillington and is therefore regarded as open countryside in planning terms. The character of the area is residential with a number of homes fronting Hanscombe End Road and a cul-de sac development south west of the site.

A public right of way runs adjacent to the northern boundary of the site and is outside of the application area.

The Application:

Outline planning permission is sought for the construction of 15 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 through creating two new priority junction arrangements onto Hanscombe End Road at either end of the boundary. The scheme proposes 5 affordable units as part of the scheme. An indicative layout was submitted with the application showing how the site could accommodate the development proposed however the internal roads and footways are not considered as part of the proposal and would be reserved as part of the detailed layout.

Since the original submission of the application additional information in the form of a sustainability statement has been 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

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

None at the site.

Consultees:

Shillington Parish
Council

The Parish Council do not support the amended application on the following grounds:

- The site lies outside the settlement envelope where applications would not normally be supported,
- Concerns about the density of the development. 15 properties are considered too many for the site and the design of the plots does not comply with the recommendations of the Central Bedfordshire Design Guide.
- Concerns have previously been expressed regarding the impact on road safety in Hanscombe End Road where there are already issues of speeding traffic. Whilst it is accepted that the applicant is offering to provide enhanced 30mph speed limit signage, including vehicle activated signage in both directions the parish council does not consider that this will have the desired effect of slowing down traffic. The parish council would strongly request that traffic calming measures or mini-roundabouts in Hanscombe End Road are a condition of any consent.

Repeated these concerns following consultation on the sustainability statement.

Highways

The site lies within the 30mph speed limit and there is some street lighting present along the road.

It is assumed that the means of access to be approved relates solely to the points of access onto the existing highway at Hanscombe End Road and the internal road layout, parking areas and turning areas are indicative only and will be subject to a reserved matters application at a later date. I have therefore reviewed the proposed application on that basis.

The main site access is located at the south-eastern end of the site frontage in the position of the existing field access. This provides the primary access to four dwellings at the rear of the site together with access to the parking areas allocated to the seven dwellings fronting Hanscombe End Road.

The second site access is located at the north-western end of the site frontage and provides the primary means of access to four dwellings.

The proposed development was subject to a pre-application consultation and the indicative layout provided

with this application is the same as previously reviewed under CB/14/04514/PAPC.

The advice given with the pre-application response stated that there were no fundamental technical highway safety or capacity objections to the principle of residential development on this site or to the two points of access proposed.

Additional advice was also given with respect to the illustrative layout but unfortunately this has not been incorporated into a modified illustrative layout. I therefore set out below a number of issues which will need to be addressed as part of the reserved matters application if outline permission is granted:

- There is no provision for a turning area for an ambulance or small delivery vehicle at the end of the cul-de-sac served by the second site access. A suitable turning area will need to be incorporated.
- The width of the access driveways will need to be a minimum of 4.8m for a minimum length of 8m when measured from the carriageway edge.
- The layout must be compliant with the Council's Design Guide in respect of the required car parking standards and the size of spaces and garages.
- Each dwelling will need to be provided with safe and secure long stay cycle parking calculated at one space per bedroom and two short stay spaces per dwelling.
- The existing footway along the site frontage will need to be widened or cleared of debris and improved as necessary to provide a constant width.

The proposed development of 15 dwellings in this location is likely to give rise to some 75 to 80 additional vehicle movements on the local road network during the 12 hour day and approximately 10 two-way vehicle movements in any given hour.

It is considered that the local road network can accommodate the additional traffic movements and hence the proposal is unlikely to have an adverse impact on the local road network once completed.

Sustainable Urban Drainage

We consider that planning permission could be granted to the proposed development subject to a detailed Surface Water Drainage Strategy with associated construction and maintenance/management plans being submitted at the detailed design stage in order to agree the final design, sizing and maintenance of the surface water system.

This must demonstrate that the drainage system proposed will capture the required design storm event and discharge it in a controlled manner to the receiving surface water body, and that the proposed standard of operation and maintenance of the system will be sufficient for the lifetime of the development and its intended uses.

Although we are satisfied with the principle of the proposal to manage surface water at the outline stage, we have significant concerns given the following points in the 'Sustainable Drainage Strategy (1599, Aug 2015)' submitted.

These must be addressed at the detailed design stage:

- The proposal is to discharge to the adjacent watercourse draining south west, we expect proposed rates and volumes of surface water leaving the site to be consulted upon and approved by the IDB in accordance with their local drainage byelaws under their jurisdiction and flows from the proposed site will enter the IDBs drainage district in close proximity to the proposed development.
- As it is currently proposed, the rate of discharge from the developed site is above the greenfield run off rate for some of the corresponding storm events. We therefore expect a full assessment of the condition of the downstream pipework and open channel be provided with evidence that the system has sufficient capacity to receive the additional flows. Where the receiving system, including the existing access culvert, is shown to have insufficient capacity or its condition will restrict the flow of water, works should be considered that will ensure the additional loads can be received without posing an increased flood risk on or off site.
- Construction and planting is proposed in close proximity to the existing watercourse and proposed drainage system, access for future maintenance must be considered when designing the final layout of the proposed development. This must allow for a

sufficient buffer strip between the development side of any drainage system, including existing watercourses. In line with the IDBs local land drainage byelaws an easement of 7-9m is advised. Further to this where planting is proposed adjacent to any permeable surface, a 5m buffer minimum is advised to prevent damage occurring from root disturbance or fallen leaves. The use of a swale is also proposed and details of this should be finalised.

- Maintenance of the proposed drainage system has not been confirmed, please note that where the 'Sustainable Drainage Strategy (1599, Aug 2015)' recommends maintenance by the SAB this cannot be delivered as Schedule 3 of the Flood and Water Management Act has not been enacted. Details of the proposed management of the system for the lifetime of the development are therefore required. Where private SuDS are intended to be maintained by the homeowner, clear arrangements must be in place to ensure drainage systems will be operationally ready at all times. This includes adequate provision of access for maintenance.
- Permeable paving must still be able to function effectively when blocked by up to 95% to allow for the system becoming less efficient e.g. as a result of siltation. A safety factor of 2.0 has been used in the preliminary design of the permeable paving, it is recommended that a factor of safety of 10 is applied to the detailed design allow for clogging to affect a proportion of the surface area over the design life.

We therefore recommend conditions be applied as recommended below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Environment Agency

Raised no objections

Internal Drainage Board

It is unclear from the application the type of permeable system that will be installed and whether it will be adopted by the local authority. It's also unclear how blockages will affect the system (i.e. if there is a blockage in the system, where will the outflows travel?). Any planning consent given should be conditional on the means of surface water disposal being agreed prior to the commencement of the main works.

The applicant should also note that the adjacent watercourse

Trees and Landscape

Proposal is for the development of this existing agricultural land for dwellings and associated infrastructure.

No real issues were raised in the pre application comments except to ensure retention and protection of existing boundary hedgelines. The Masterplan would appear to indicate that they are to be retained and as such we would look for them to be protected throughout development using tree protection fencing at a distance and standard as detailed in BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations.

Full landscape detail will be required to include species, sizes and densities with an emphasis on informal planting and use of native species.

Landscape Officer

Landscape character / visual impact - The scheme has had a careful design evolution. Although the development will limit some views across to the Chiltern countryside, I do not object to the development. The proposals protect the existing boundary hedges and will reinforce the boundary along the roadside . I am pleased to see the intention to plant native hedges as boundaries to properties.

A full planting plan and specification will be required.

Native hedgerows are an extremely important feature of Shillington , with many hedges being of significant age. I would prefer the new hedges to be planted using stock of Bedfordshire provenance to ensure the best genetic compatibility with these hedges - this helps with flowering time for example.

The Community Tree Trust at Clophill would be the most appropriate source .

Ecology

Having looked at the submitted documents I would have no objection to the proposals as the site appears to be ecologically low in value. A key feature is the hedgerows bounding the development area and I am pleased to see that these are to be retained and strengthened. I note that ornamental species are shown on the plan but I would steer towards native species or at least those which are nectar or berry rich to ensure a net gain for biodiversity. The Design and Access statement refers to the use of integral bird and bat bricks in 5.89 which is particularly welcomed and I would wish to see details of their positioning provided via condition.

Housing Development Officer I support this application as it provides for 5 affordable homes which reflects the 35% affordable housing policy requirement. The application also complies with the required tenure split as identified through the Strategic Housing Market Assessment (SHMA) Providing 63% rent (3 units) and 37% intermediate tenure (2 units). I would expect to see the affordable units 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.

Adult Social Care

Demand

The proposed development falls within the West Mid Bedfordshire locality and the Silsoe & Shillington ward. West Mid Bedfordshire has a total population of 61,170 and 9,500 of these residents are aged over 65 years. This is forecast to rise to 16,608 by 2030. Delivering accommodation suitable for older people is therefore a priority for Central Bedfordshire Council.

In 2013 the Silsoe & Shillington ward had 4,500 residents and 19% of its population was over 65 years old. For the same area 12.7% of households consist of one person of 65 years of age or over and a further 10.5% of households have more than one occupant, all of who are aged 65 or over. In 2011 15.4 % of the population in this ward were retired, which is higher than the average for Central Bedfordshire (13.5%) and England (13.7%).

The number of older residents in this ward and the predicted rise in the people over 65 in the West Mid Bedfordshire area demonstrates that there is likely to be demand for mainstream housing that is specifically designed for older people and for specialist accommodation for older people, such as residential care homes and housing with care and support available such as extra care developments.

If older people live in accommodation that does not meet their needs it can have an adverse impact on their health and well-being. In 2011 in the ward Silsoe & Shillington 5.4% of residents stated that their day to day activities were limited a lot due to a long term health condition or disability and a further 7.9% of residents said they were limited a little. This highlights the need to have more accommodation available for older people that enables them to live independently within the community.

The proposed development is not an appropriate location or size to accommodate specialist accommodation for older people. However, it would be beneficial for a proportion of the dwellings proposed to be designed to be

suitable for older people, taking into account their needs, expectations and aspirations.

Design and layout

With good design, mainstream housing can be suitable for older people at little or no additional cost to the developer. Indeed where housing is designed to be specifically for older people it may be acceptable to have reduced provision in some aspects such as outdoor amenity space.

For the proposed scheme, the inclusion of a lift would allow people with reduced mobility and those who are unable to use stairs to access apartments on the first floor. Ensuring level access to the ground floor flats would also make them more suitable for people with reduced mobility. If the scheme were marketed to older people the number of disabled parking spaces may need to be reviewed.

The following design characteristics are based on national research and local practitioners' views and are what older residents look for in a new home:

- a. Smaller homes that are easy to manage, with a minimum of two bedrooms and outdoor amenity space that is accessible but small and easy to maintain.
- b. En-suite bathrooms and/or an easy route from the main bedroom to the bathroom.
- c. Level access throughout the ground floor.
- d. Layout, width of doors and corridors to allow for wheelchair access and turning circles in living rooms.
- e. Walls able to take adaptations such as grab rails.
- f. Sockets, controls etc. at a convenient height.
- g. Low window sills to maximise natural light levels and so that people in bed or a wheelchair can see out.
- h. Sufficient sized parking space with the distance to the parking space kept to a minimum.
- i. Bathrooms to include easy access shower facilities.
- j. Level or gently sloping approach to the home and an accessible threshold.
- k. Energy efficient and economical heating system to help to keep energy costs as low as possible.

Summary

Our view is that the needs of older people should be considered as part of this proposal and, should approval be forthcoming, we would urge that a proportion of dwellings in the scheme are designed to be suitable for older people, by incorporating some or all of the features

mentioned above.

Leisure Officer

Had no comments to make

NHS England

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;

- l. Flitwick Surgery – which is deemed to be constrained at 27.86 patients per m2
- m. Oliver Street Surgery, Ampthill which has reached its capacity at 20.99 patients per m2
- n. Houghton Close Surgey, Ampthill which is currently under capacity at 16.75 patients per m2
- o. Greensand Surgery, Ampthill which is deemed to be constrained at 35.40 patients per m2
- p. Dr Cakebread and Partners, Shefford is currently under capacity at 17.70 patients per m2
- q. 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.

Pollution Team

Had no comments to make.

Rights of Way

Shillington Footpath No.20 runs adjacent to this development between two houses, the path is very narrow and unpleasant to use. I would like to see this footpath diverted to run along the pedestrian link shown on the masterplan document, I would then like to see this link extended to the eastern corner of the site to re-join the existing section of footpath. The new footpath should be surfaced and 2 metres wide. The entrance point to the existing ROW should be wide, clear of vegetation and there should be a map board present showing the footpath routes in the area. This will be the gateway into the countryside for these new residents.

Sustainable Growth

The approach to sustainability standards outlined in the

Sustainability Statement is welcomed. The Statement addresses all issues raised in the pre-application advice and provides information on potential measures to be considered during detailed design and to be determined at Reserved Matters stage. I would expect the following condition to be attached should the outline planning permission granted:

- 10% energy demand of the development to be secured from renewable sources;
- Water efficiency standard to be 110 litres per person per day.

To discharge the above condition the following evidence should be submitted:

- SAP calculation output sheets
- Part G water Calculator output sheets.

Anglian Water

Comments to be reported.

Shillington Village
Design Association.

This site is wholly outside the current Settlement Envelope (SE). We therefore would not normally support it as being contrary to the Village Design Statement (VDS) Guidelines 5.1.

However, we accept that further housing is needed and that there is little land available within the SE, hence the Call for Sites by the Council.

At a Committee Meeting held on the 28th September 2015 we examined this Outline proposal and list our concerns below:

1. Traffic along this road frequently at speeds well above the 30 mph limit is a hazard likely to be exacerbated by the site access roads and the proximity of Chalkley Bush Close. We suggest that a well sign posted mini roundabout would be needed.
2. As an Outline application we have limited information regarding the design and in particular the height of the houses which we think should be no higher than the existing adjacent houses.
3. The open views to All Saints Church would be seriously impaired contrary to the VDS 5.5.1.
4. In order to provide 15 houses with two access points and courtyards on a small narrow site many of the plots are too small. We suggest that a maximum of 10 houses would result in a better layout.
5. The site is some distance from the main part of the village and the Lower School.

We think that a decision on this application should be

delayed until the Call for Sites submissions are published and that this proposal be subject to the same analysis and consultation process.

Other Representations:

Neighbours

9 letters of objection and comment have been received raising the following summarised issues:

- Outside of settlement envelope and is not infill development
- Village has limited facilities to accommodate development.
- Too many houses, of inappropriate density and out of character with the area.
- Increase traffic on a road which is already busy and subject to speeding.
- Shortage of parking proposed.
- Loss of privacy to 17, 48, 50 Hanscombe End Road
- Numerous disruptions during construction of noise, traffic, dust and dirt.
- Loss of outlook to 17 Hanscombe End Road
- Loss of light to 48 Hanscombe End Road
- Access proposal poses accident risk to school children using bus stop on Hanscombe End Road.
- Risk of flooding due to loss of natural drainage.
- Bin store location raises safety concerns and vermin concerns.
- Development is contrary to Shillington Design Statement.
- Will affect views to the Church
- Affordable housing is excessive and inappropriate.

8 letters of support received:

- Proposal would enhance the village and help it prosper.
- Development is infill
- Will address a housing need with affordable housing.
- Housing should be limited to between 10-12 units
- Will allow for families to upgrade housing size.

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 outside of the settlement envelope of Shillington 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). Shillington 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 On 19/02/2016 an appeal was dismissed at a site in Henlow for a residential development adjacent the settlement envelope. While the decision was to dismiss the appeal, in making her decision, the Inspector concluded that that the Council had “not demonstrated a five year supply of deliverable housing sites” and discounted a number of sites from the supply. Therefore the Council cannot currently demonstrate a 5 year supply of housing and in these circumstances the National Planning Policy Framework paragraph 49 applies which states that the Council's Housing Policies are not up to date. Paragraph 14 of the NPPF states, among other things, that where the development plan policies are out-of-date, the Council should grant planning 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.
- 1.3 The site is adjacent the Settlement Envelope for Shillington. The nature of the village is such that the dwellings on Hanscombe End Road are detached from the principal village core which lies to the northeast. To the north, south and west the site directly adjoins existing residential development and the settlement envelope. The application site does extend outwards into the surrounding countryside however the eastern boundary can be read as a continuation of the limits of curtilages to the north and south. The site would have a squaring off effect and while larger than a standard scenario, can be regarded as an infill development.
- 1.4 Affordable Housing
The proposal would provide 35% Affordable Housing in accordance with Policy CS7. Of the affordable homes proposed, 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. Shillington is categorised as a Large Village under Policy CS1 of the Core Strategy. There are various facilities in the village including a shop, a pub, lower school, Church, village hall. There is also a bus service through the village and therefore Shillington is considered to be a sustainable location in planning terms. The detached nature of the site from the village core means that these services are not in immediate proximity but there is existing footway links from the site and the walking distance to the main village is considered to be acceptable.
- 1.6 Settlements that are classified as Large Villages are considered to be able to

accommodate small scale housing and employment uses 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. The scale of this proposal is considered to be reflective of the scale of development on Hanscombe End Road.

- 1.7 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.
- 1.8 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, therefore any harm to the open countryside is limited. The extension of built form into the open countryside would result in some harm to the character of the village, however the harm would be limited due to its comparative relationship with the surrounding pattern of development.
- 1.9 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 Detailed design considerations will be left for any subsequent reserved matters layout. An indicative layout was submitted with the application which shows a development of mixed dwelling types within the site. It shows a frontage can be created to Hanscombe End Road with other dwellings located further into the site. An acceptable scheme would be expected to create a frontage to the highway and to avoid the presence of physical boundaries in this area. The indicative layout does not completely achieve this and would therefore unlikely be acceptable if submitted as a detailed design proposal.
- 2.2 In terms of the other three boundaries the plan indicates that the existing boundaries are to remain and be subject to supplementary planting if necessary which is considered to be positive. The retention can be secured through condition.
- 2.3 The plan indicates that the scale of dwellings will be 2 storey throughout the scheme. This is also considered acceptable as a reflection of the character of the area. This parameter can also be secured by condition to ensure an appropriate maximum scale is achieved.
- 2.4 Objections have been received on the grounds of loss of views through to the village Church and that this is a view that should not be detracted from in the Village Design Statement. It is considered that the view from Hanscombe End Road through to the Church is long and the Church is not prominent in the streetscene in this location. The view would be lost from this part of the village however it is not considered to be lost to the detriment of the character of the area and therefore no objection is raised in this respect.

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 15 units on the site could be comfortably accommodated without again 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.

3. Impact on amenity.

3.1 As stated, detailed design considerations are a reserved matter and specific impacts on neighbouring properties would be considered as part of a detailed reserved matters application. There will be an increase in built form in the area although the scale of development is considered to not be one that would be overbearing. The concerns raised by the occupiers of dwellings on Hanscombe End Road are noted however the impact is not considered to be harmful in principle. The neighbouring dwelling immediately north of the site has a side-on orientation to the site. One first floor window looks onto the site and detailed design would be expected to take this into account when considering the impact on this occupier. The immediately adjacent property to the southern boundary has more openings affected due to a lower boundary treatment and again a detailed scheme will have to consider the impact on this property. It is considered that, in principle, development could be achieved while accommodating the amenity concerns of these two dwellings abutting the site. On the other side of Hanscombe End Road numerous dwellings of varying distances from the site will have outlooks affected. The distances to the site however are considered to be sufficient to the extent that residential development will not adversely affect the amenity of these occupiers through the altered outlook and there would be no other amenity concerns either.

3.2 It is considered that any subsequent reserved matters application would design a scheme that takes account of neighbouring properties to ensure there would be no harmful impact to existing residents. Taking account of the indicative layout submitted it is considered that a scheme could be achieved in principle that would not have a detrimental impact on neighbouring amenity.

3.3 In terms of providing 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 is raised from the Highways Officer to the scheme. The junction arrangements as proposed are considered to be acceptable in terms of being able to accommodate the projected traffic numbers that would be resultant from this development. The indicative layout suggests that each dwelling will have parking arrangements in accordance with the standards and this is required to be considered acceptable.

4.2 A number of objections have been received on the grounds that the

development would add to traffic on an already busy road that is subject to speeding traffic. 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. The Parish Council submitted speed traffic data taken on Hanscombe End Road which did show average speeds of 35mph which is above the 30mph speed limit. The proposal will result in an increase of traffic on this road and the provision of frontage development which can have a slowing effect on vehicles. The safety concerns are considered to be pertinent and it is considered reasonable that traffic calming measures should be sought as part of this proposal. Therefore it is proposed to include a contribution in the S016 for traffic calming works in the form of a gateway structure at the speed limit signs. On this basis there is no objection on the basis of highway safety to this application.

4.3 Hanscombe End Road is served by a bus service which currently operates an informal hail and ride arrangement for travellers. Discussion did take place with the applicant over the possibility to providing formal bus stops on Hanscombe End Road as an enhancement of the public transport service. However, having considered the need to address the more pertinent issue of traffic safety and also considering whether or not such stops are required to make this scheme acceptable in planning terms it is considered that such an obligation would not be compliant with the CIL Regs in this instance and therefore such a contribution will not be pursued further.

4.4 As a result there are no objections on the grounds of highway safety and convenience.

5. Other Considerations

5.1 Flooding and Drainage

Objection has 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 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 Construction impact

Objections have been raised on these grounds however it is given little weight as a material consideration given that it is a temporary impact and one that is apparent on any grant of planning permission.

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:

Early Years	£10,369.80
Lower	£34,566.00

Middle £34,781.76

Upper £42,651.65

Healthcare:

£9,315 – for reconfiguration of catchment area practices to accommodate new registrations.

To aid Highway Safety in the area a contribution will be sought for the provision of gateway feature on Hanscombe End Road at the 30mph speed limit signs.

5.4 Public Rights Of Way

Comments have been received requesting Footpath 20 of the network be diverted through the site due to the unpleasant nature of the existing footpath in this location. Request is also made for a map board to show footpath routes into the area. The request is noted however the unpleasant nature of the existing route is not the fault of this application and the proposal does not affect the existing right of way. Therefore the requested diversion and maps are not considered reasonable and a requirement to make the application acceptable in planning terms in this instance.

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. 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 consideration has to be given to this scheme with the proviso that the Council's housing supply policies, including Core Strategy policy DM4, are not up to date. The wording of policy DM4 limiting residential development to small schemes within the settlement envelope should therefore be given little weight.

6.2 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 make a significant contribution to the character of the area and can be regarded as a large infill plot in this instance.

The fact that it abuts the settlement envelope 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 to the settlement envelope does not result in significant and demonstrable harm.

6.4 Social

The provision of housing is a benefit to the scheme which should be given significant weight. As should the provision of affordable housing which is policy compliant in this application. The scheme provides a policy compliant percentage of affordable housing and proposes a mixture of house sizes. Both of these considerations are regarded as benefits of the scheme.

The report has detailed that Shillington is regarded as a sustainable settlement and 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 formal bus stops.

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.

6.7 Humans Rights/Equalities

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 the Town and Country Planning (Development Management Procedure) Order 2015 (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 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).

- 5 **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

- 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 commence until a detailed surface water drainage scheme and associated construction and management/maintenance plans for the site, based on the agreed 'Sustainable Drainage Strategy (1599, Aug 2015)', has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall include a restriction in run-off and surface water storage on site as outlined in the application for CB/15/03329/OUT. The scheme shall subsequently be implemented prior to any occupation of the development 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: 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 2009.

- 8 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.

- 9 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.

- 10 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.

- 11 **No development shall take place until details of the junctions between the proposed access roads and the highway have been approved by the Local Planning Authority and no building shall be occupied until the junctions have 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.

- 12 No dwelling shall be occupied until visibility splays have been provided on each side of the junctions of the access roads 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 on land within the control of the applicant.

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.

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

Reason: To ensure that the proposed roadworks are constructed to an adequate standard.

- 14 No dwelling shall be occupied until a 2m wide footway has been constructed on the north-eastern side of Hanscombe End Road across the whole of the site frontage in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway.

Reason: In the interests of road safety and pedestrian movement.

- 15 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a vehicular turning area at the end of the cul-de-sac served by the second site access suitable for use by an ambulance and/or a small delivery vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of such vehicles on to the highway.

- 16 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and 2 short stay spaces per unit. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 17 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number 1424/1.

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. Applicant is advised to note that, with regards to drainage, details provided at the detailed design stage must demonstrate compliance against the Non-statutory technical standards for sustainable drainage systems (Ref: PB14308), which should be used in conjunction with the National Planning Policy Framework, Planning Practice Guidance, CBCs Sustainable Drainage Supplementary Planning Guidance, and industry best practise.

In addition to the above, with regards to the use of permeable paving, the following should be demonstrated:

- rr. Confirmation of adequate rate of infiltration of rainwater through the pavement surface in order to avoid pooling, calculation of the inflow rate should include all anticipated runoff from adjacent areas. Where ponding will occur this must be demonstrated to be acceptable with details of the maximum water depth on the surface and the time for which it remains.
- ss. Storage volume required for design storm rainfall event management and details of the thickness of the sub-base required to provide sufficient water storage capacity.

- tt. Adequacy of outfall capacity to convey water from the pavement structure.
 - uu. That permeable paving will be of sufficient structural strength to withstand the loads to which the structure will be subjected, including abnormally heavy wheel loads, and be compliant to BS EN 1338: 2003.
 - vv. That soil and other material will be prevented from contaminating or blocking the pavement surface and sub-structure.
 - ww. Key maintenance requirements and delivery of this for the lifetime of the development proposed.
 - xx. That sufficient access for maintenance will be provided to all elements of the drainage system.
 - yy. That landscaping adjacent to the drainage system will facilitate the function and operation of the system and that planting will not pose a risk of damage from roots or surface clogging from leaf fall.
3. The applicant is advised that no works associated with the construction of the vehicular accesses should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.
4. The applicant is advised that the requirements of the New Roads and Street Works Act 1991 will apply to any works undertaken within the limits of the existing public highway. Further details can be obtained from the Traffic Management Group Highways and Transport Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, SG17 5TQ
5. The applicant is advised that as a result of the development, new highway street lighting will be required and the applicant must contact the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ for details of the works involved, the cost of which shall be borne by the developer. No development shall commence until the works have been approved in writing and the applicant has entered into a separate legal agreement covering this point with the Highway Authority.
6. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface

water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Control Group, Development Management Division, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ.

- 7. The applicant is advised that Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
- 8. The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

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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