

Item No. 8

APPLICATION NUMBER	CB/16/00181/FULL
LOCATION	Land to the rear of 33 to 57 Shortmead Street, Biggleswade, SG18 0AT
PROPOSAL	Construction of 30 No. dwellings and associated road, demolition of commercial premises.
PARISH	Biggleswade
WARD	Biggleswade North
WARD COUNCILLORS	Cllrs Jones & Mrs Lawrence
CASE OFFICER	Nikolas Smith
DATE REGISTERED	28 January 2016
EXPIRY DATE	28 April 2016
APPLICANT	Mayfair Holdings
AGENT	RDC
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Town Council has objected Approval

Reason for recommendation:

The development would represent efficient use of a very sustainable, previously-developed site that would make a contribution towards the market and affordable housing needs of Central Bedfordshire. The appearance of the development, its impact on neighbours and associated highways implications would be acceptable and the development would be in accordance with the policies contained within the Central Bedfordshire Core Strategy and Development Management Policies (2009) and Design in Central Bedfordshire (2014).

Site Location:

The site has an area of around 0.68ha and is made up of three parcels of land which includes an engineering works.

Houses fronting Shortmead Street run north to south along the eastern boundary of the site. Shortmead Street contains a number of listed buildings, some of which are in close proximity to the site (No's 47, 49-51 and 55 are on the west side of Shortmead Street and are listed). Whilst the site is not within the Conservation Area, it begins immediately to the east of it and development at the site would be in its setting. The whole site falls within an Archaeological Priority Area. The River Ivel runs along the western boundary of the site. The bank between the river and the site is designated as a Local Wildlife Site. There is a footpath on the other side of the river from which the site is clearly visible.

Despite the proximity to the river, the site falls within Flood Zone 1.

To the north is a site last occupied by Travis Perkins. Planning permission has

recently been granted for houses and flats for older people there. That approved building has a large footprint and is between two and a half and three storeys in height. The legal agreement that accompanied that planning permission includes a contribution towards a new crossing on Shortmead Street.

To the north east are properties on Woodall Close, a small cluster of buildings extending westwards from Shortmead Street.

To the south of the site are properties on Wharf Mews. These are two storeys in height (some have accommodation in the roof space), but for a larger building at the west of the site which is between two and a half and three storeys in height.

The applicant has shown that within their ownership (but outside of the application site) is the existing site access that runs between No's 33 and 43 Shortmead Street and a large barn which sits to the rear of No 33.

The Application:

Planning permission is sought for the erection of 30 dwellings at the site after the demolition of the existing commercial buildings there.

The mix of the dwellings proposed are set out in the table below:

	1 bed flat	2 bed flat	3 bed house
Market			20
Affordable	8	2	
Total	8	2	20

The dwellings would be arranged at the site as follows:

There would be four two-storey (with accommodation in the roof space) semi-detached houses and a detached house at the southern side of the site, fronting but set back from Wharf Mews.

At the north of the site there would be a part single-storey, part two to two and half storey building containing 8 x 1 bedroom and 2 x 2 bedroom affordable flats.

Between these two flatted buildings at the centre of the site there would be a pair of two and a half storey semi-detached houses.

At the western end of the site, to the north of the existing flatted building on Wharf Mews and with a rear outlook over the River Ivel, there would be 10 x semi-detached houses. These would be between two and a half and three storeys in height.

At the east of the site, to the west of the listed Coach and Horses Public House, there would be 3 x 2 bed terraced houses.

Access would be taken from Wharf Mews and an existing wall at the western end of the road would be removed. There would be works to the highway to increase its width in places.

The proposed development has been revised twice. 42 units were originally sought and that was reduced to 37. In response to concerns raised by neighbours, officers successfully negotiated a further reduction in the number of units proposed to 30.

Relevant Policies:

National Policy and guidance

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014)

Local Policy and guidance

Central Bedfordshire Core Strategy and Development Management Policies - North (2009). The following policies are applicable to this planning application:

CS2	Developer Contributions
CS3	Healthy and Sustainable Communities
CS4	Accessibility and Transport
CS5	Providing Homes
CS7	Affordable Housing
CS13	Climate Change
CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS18	Biodiversity and Geological Conservation
DM1	Renewable Energy
DM2	Sustainable Construction of New Buildings
DM3	High Quality Development
DM4	Development Within and Beyond Settlement Envelopes
DM9	Providing a Range of Transport
DM10	Housing Mix
DM13	Heritage in Development
DM14	Landscape and Woodland
DM15	Biodiversity

Site Allocations (North) Development Plan Document (2011)

Central Bedfordshire Design Guide (2014)

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.

Relevant Planning History:

Planning permission was granted on 14th April 2016 (CB/15/04768/FULL) for the erection of 48 retirement homes on land to the north of this site. Whilst development has not commenced at the time of writing, that scheme is a material consideration in the determination of this one.

Planning permission was originally granted for the existing houses and flats at Wharf Mews in 2001 (MB/00/01286/FULL). Subsequent decisions varied that consent.

Consultation responses:

Neighbours and Biggleswade Town Council were written to and press and site notices were published. Neighbours and the Town Council were consulted twice more amended plans were received. 25 responses were received. The responses are summarised below:

Town Council

Objection on the grounds of:

- Overdevelopment
- Inadequate parking
- Inconsiderate access
- Pedestrian safety
- Overbearing nature of the development
- No amenity space
- Access should be taken from the existing access off Shortmead Street

Neighbours

Neighbours of the site were consulted on 2nd February. They were consulted again when amended plans were submitted on 20th April.

25 letters of objection were received.

In addition, residents at No's 2, 4, 5, 6, 7, 9, 11, 14, 15, 16, 17 and 18 Wharf Mews and No's 25 and 27 Shortmead Street collectively instructed Robinson and Hall (planning consultants) and MTC Engineering (highways consultants) to prepare a letters of objection on their behalf.

A summary of the responses is set out below:

- There would be an increased potential for rear end shunt accidents at the Wharf Mews/Shortmead

Street junction

- When assessed against the Council's Design Guide, Wharf Mews is not suitable to serve the number of dwellings that would be using it
- There would be a potential capacity impact on the Shortmead Street/Wharf Mews junction
- Increasing traffic flows through a junction that does not meet design standards gives rise to serious highways concerns
- Further justification is required for the loss of the employment use at the site
- The scheme would be an overdevelopment of the site at too high a density
- The development, and particularly the apartment building fronting Wharf Mews, would cause harm to the street scene
- The development would be out of character
- There would be a loss of privacy through overlooking and potential shadowing
- The apartment building would be too tall and would be overbearing
- There would be inadequate landscaping on the Wharf Mews side
- The development would result in the loss of an attractive wall and a grassed area used as amenity space by residents of Wharf Mews
- Inadequate consultation has taken place by the developer
- The development would be dominated by car parking but not enough is provided to meet the requirements of the design guide
- No public amenity space would be provided within the site
- The trip generation figures used in the applicant's modelling could be inaccurate
- Additional trip generation created by the development will harm amenity and safety
- The hammerhead access is currently used by residents to park
- Wharf Mews would not be safe for pedestrians
- The apartment building is in the wrong location
- Wharf Mews should not be used as the access to the site
- The development would represent town cramming
- Construction needs to be carefully considered
- The development would increase the carbon footprint
- There would be noise and light pollution
- Not enough amenity space would be provided

- A crossing should be provided
- Existing residents should receive financial compensation
- Infrastructure is not in place locally to meet the demands of the development

Residents of Wharf Mews have requested additional time to comment on the latest revisions to the plans. If responses are received, they will be reported in the Late Sheet.

Consultee responses:

Environment Agency No objection

Internal Drainage Board No objection

Pollution Team The site in question has a number of environmental conflicts, including its former use, the neighbouring industrial/commercial use to the East and the issues associated with the Public House.

Starting with the current use, the issues which may arise are contamination but these can be dealt with through appropriate conditions which will also deal with any potential contamination from neighbouring land uses. Noise from the adjacent commercial use (Travis Perkins) is not considered a long term issue as I understand that this site has approval for redevelopment for residential purposes. Therefore the only issues which remain are those of noise from the Public House in terms of that from the car park and also from the beer garden. However, in my opinion this would not warrant an objection as there exists a number of residential premises which could be equally affected at this time. However, I would suggest a condition requiring a noise mitigation scheme to be approved prior to occupation.

Highways

The proposal is for an additional 30 dwellings taking access from an adopted highway at Wharf Mews, which is of a sufficient standard to accommodate the proposed development. The applicant has indicated that the required visibility splay can be achieved at the junction with Wharf Mews and Shortmead Street and the accident data shows no reported accidents at the junction. The development falls below the guidance requiring a TA.

The applicant has submitted a tracking diagram which shows that a refuse vehicle can access, turn and leave the site in forward gear. There is no tracking diagram for the junction with Shortmead Street as this exists and is in use by the refuse vehicle. However the applicant has been

	mindful of the narrow width of Wharf Mews prior to the site access and has included details of the widening of the carriageway and realignment of the footway.
Conservation Officer	Early comments relating to design and scale have been addressed through amendments
Housing Strategy	No objection.
Trees and Landscape	Supplied with the application is a Tree Survey, Arboricultural Impact Assessment and Method Statement, this information identifies all trees on site and a number of offsite trees that could be affected by the development. The information includes Root Protection Areas (RPA) and retention categories of trees.

The survey identifies 7 B category trees and 2 A category trees. BS5837 2012 Trees in relation to Design, Demolition and Construction. Recommendations would look for retention of A and B category trees within development sites and aim to adjust plans around these features to retain where practical mature trees into the new development.

T11 is a mature Sycamore located close to the river edge and categorised within the tree schedule as an A2 category tree and worthy of retention in any development. The tree is readily visible from both Wharf Mews and land west of the river.

Looking at the site layout it would seem that this tree has a root protection area that would not be within the footprint of this tree and could be retained. It would appear that work to replace the retaining wall would be carried out as part of the development but I would suggest that it would be feasible to design this in such a manner to retain the tree.

Tree Protection Plan SE7256/02 Rev A indicates T18 a B category Yew and T3 a Corsican Pine are to be retained although they are both off site, however it does also indicate removal of two trees off site shown as T2 a B category Yew and T4 a C category Willow. Root protection area of both trees encroach into the development site and are also within the Biggleswade Conservation Area, although this is not accurately shown on Tree Survey and Tree Constraints Plan, and as such have legal protection. RPA of both trees encroach into footprint of Plot 25.

I would like to see the retention of T11 Sycamore with the proposed retaining wall constructed in such a manner and design to ensure that it can be retained in good condition,

adding to the mature landscaping of the riverside. As such I would expect the Tree Protection Plan and Arboricultural Impact Assessment/Method Statement to be adapted to show this retention.

T2 Yew is a B category tree worthy of retention and within the Conservation Area. I would like to see Plots 23/24 and 25 moved away from the RPA of this tree and Tree Protection Plan, Arboricultural Impact Assessment/Method Statement to be adapted showing these changes.

Archaeology

Biggleswade was one of three townships recorded in the area during the Saxon and medieval period, the others being Holme and Stratton. It was granted the right to hold a weekly market in the 13th century and there is evidence for early town planning including the alteration of the parish road network and the creation of the market place. Recent archaeological investigations at Hitchin Street have demonstrated the presence of medieval archaeological deposits to the south of the market place (Albion Archaeology forthcoming). Shortmead Street has been identified as one of the principal roads of the historic town linking the market place to the south with a river crossing at its northern end. However previous investigations along Shortmead Street, including one site immediately to the south of the proposed development site (HAT 2000 (EBD 415)) and another about 75m to the north (HAT 2002 (EBD 341)) have failed to establish the survival of archaeological remains relating to the Saxon and medieval town in this area, although the investigation to the south did identify remains of late post-medieval or modern date.

The application is accompanied by a *Historic Environment Desk-Based Assessment* (ECUS, January 2016) which includes a description of the archaeological background, context and potential of the proposed development. The *Assessment* concludes that the site has low potential for Roman period, medium potential for the medieval period and high potential for the post-medieval period. It is suggested that later development or redevelopment of the site in the post-medieval and modern periods will have had a major impact on the survival of archaeological remains. This is confirmed by the results of the archaeological investigation of land immediately to the south where remains of late post-medieval and modern

activity were found and there was evidence of extensive ground disturbance.

The *Assessment* says that groundworks required by construction of the development would have an impact on any archaeological deposits which could be mitigated by a programme of archaeological investigation. It is true that any groundworks would have a negative and irreversible impact on any archaeological deposits that survive at the site. However, on the evidence from adjacent sites it is unlikely that the site will contain substantial or extensive archaeological deposits and that the impact of the development would not cause a major loss of significance to any heritage assets with archaeological interest. Consequently, I have no objection to this application on archaeological grounds and no archaeological and no archaeological investigation will be required as a result of this development.

SuDS Team

We consider that planning permission could be granted to the proposed development and the final design, sizing and maintenance of the surface water system agreed at the detailed design stage, if the following recommendations and planning conditions are secured.

The proposed site has previously been developed and currently comprises a workshop, a brick barn and open space. The proposed development will comprise 42 dwellings with associated highway infrastructure. The site is considered to be a major development. In accordance with Written Ministerial Statement HCWS161 we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate. Proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May

2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).

We understand from the FRA (Revision A: January 2016, R-FRA-T8070PM-01-A) that surface water from the proposed residential development will utilise infiltration techniques across the site for all aspects except the adopted highway. Surface water from private drives will drain to permeable paving and surface water from dwellings will drain to a trench soakaway within the garden of the property. The adopted road will drain via the existing highway drain to the River Ivel. Surface water from the adopted highway will be attenuated to 2.5 l/s (lowest possible) with attenuation provided in oversized pipes. The drainage system will be designed to minimise maintenance requirements, however, a full maintenance scheme will be established for those elements not being offered for adoption.

There are some issues with the submitted FRA that need to be addressed with the final detailed design:

- An average infiltration rate of 8.0×10^{-6} m/s has been determined. The Soakage Test report (Appendix M, 21st January 2016, Ref: PN187) indicates results were relatively poor on site. Further testing must therefore be undertaken to assess the feasibility of infiltration, geotechnical and geological factors, and any implications for the final detailed design of the surface water drainage scheme. Where infiltration is not feasible, revisions to the agreed strategy must be demonstrated with the final detailed design.
- Infiltration in areas of made ground may affect ground stability or increase the possibility of remobilising pollutants, the site investigation should therefore also consider whether the potential for or consequences of ground instability and/or pollutant leaching as a result of infiltration are significant and what mitigation is proposed.
- Confirmation of permission to connect and discharge surface water to the existing highway drain must be secured, and details provided with the full detailed design.
- Land drainage Consent under the land drainage act 1991 must be secured to discharge surface water to the River Ivel, and details of this provided with

the full detailed design.

Determining Issues:

The considerations in the determination of this application are:

1. The principle of the development
2. Design and heritage assets
3. Traffic and highways
4. The quality of the accommodation
5. The impact on neighbours
6. Biodiversity and trees
7. Flood risk, drainage and flood risk
8. Affordable housing and s106
9. Conclusions

Considerations:

1. Principle of the development

The site is located within the Biggleswade Settlement Envelope, where residential development like that proposed is encouraged. The site is a very sustainable one given its proximity to the services provided by the town centre, to the south.

Whilst the site does currently contain an employment use, the site is not defined as a Key Employment Area and so is not specifically protected by the Council's policies. Policy DM4 makes clear that both employment and residential uses are appropriate within settlement envelopes.

This is a predominately previously-developed site in a very sustainable location. The development of such sites can make a valuable contribution towards meeting the Council's housing need and it is important that sites like this one are developed efficiently so that they are providing the maximum number of dwellings that can be achieved whilst giving proper regard to the character of the area, the relationship with neighbours and other material planning considerations.

The density of development at the site would be approximately 44 dwellings per hectare. That would be much lower than that recently consented at the land to the north of the site (approximately 83 dwellings per hectare) and would be appropriate given the very sustainable location and proximity to the town centre.

The principle of the development would be acceptable.

2. Design and heritage assets

The existing building at the site does not make a positive contribution to the character of the area or the setting of the Conservation Area and its demolition would be acceptable.

The proposed houses fronting Wharf Mews would be of a comparable scale to those that they would face. They would be set back from the highway, with front gardens and would be of a high design quality and would sit comfortably in the street scene.

The other proposed buildings at the site would be designed to the same high quality and would be of varying heights and scales. The semi-detached buildings at the west of the site would relate well to the flats on Wharf Mews and the consented scheme to the north and would create a positive view when seen together from the footpath on the other side of the river.

The massing of the building containing affordable apartments at the north of the site would be broken up by changes in roof height and staggered elevations. It would be seen in the context of the development to the north and would be of a lesser scale than it.

The terrace of three houses at the east of the site would be of an appropriate scale and design, when taking in to account the proximity of the listed building further to the east.

Whilst a development like this would result in an inevitable change to the character of the area, that change would not be harmful. The development would result in the loss of an undistinctive commercial building and its replacement with high quality and varied residential development that would sit comfortably alongside existing buildings on Wharf Mews.

Section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be had to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area.

The fact that the scale and design of the development would be appropriate would help to ensure that there would be no harmful impact on the setting of either the nearby listed buildings or Conservation Area. The County Archaeologist is satisfied that no harm would be caused by the development to other heritage assets.

A condition would require details of existing and proposed levels at the site to ensure that the appearance of the development would be acceptable.

3. Traffic and highways

Access to the site would be from Wharf Mews. Very many of the consultation responses received have queried why this should be the case and have highlighted perceived deficiencies with this as an access to the site. Many

residents would prefer that access was taken from the existing point from Shortmead Street in to the engineering site.

The applicant has satisfactorily demonstrated to the Council that the use of the existing access that serves the engineering business between No's 33 and 43 Shortmead Street would not be safe because it would be too narrow.

There is no requirement to submit a Transport Statement that includes junction modelling with a planning application for a development of this scale. The level of information submitted is acceptable to the Council's Highways Officers. It is their view that there are no capacity problems at the Shortmead Street junction and that it can accommodate trips generated by a development of 30 dwellings. The Council's Design Guidance suggests that a road like Wharf Mews might look to accommodate 50 dwellings. In this case, it would be 52. The Council's Highways Officers are satisfied that the difference between the figures would not be material and that the junction and the highway would continue to be safe. The Design Guide is guidance and each case must be assessed on its individual circumstances.

There are parking restrictions around the junction between Shortmead Street and Wharf Mews and given that additional drivers would be using that junction, their limited extent could result in instances of the proximity of parked cars to that junction impeding the safe and free flow of traffic entering and leaving the road. A s106 obligation would require a scheme for enhancing those restrictions. The Traffic Regulation Order that would be required to implement those measures would be assessed by the Traffic Management Committee.

If approved, the measures could reduce the amount of on-street parking available on Wharf Mews, it should not be to an extent that would cause serious disruption to existing residents. It appears as though all of the houses are served by garages, some of which are double and all of which have space to park in front of them. The flats at the west of the site are served by 15 spaces and there is a lay-by about midway along the road for parking that is around 25m long. It may be the case that those parking near to the junction do not live on Wharf Mews or that residents are parking there because it is more convenient than parking in allocated spaces, which in some cases are to the rear of houses.

Some residents are concerned that by introducing an access in to the development site, the ability to park cars within the turning head would be removed. Whilst that would be the case, the turning head was not intended to be parked in.

Concern has been raised that Wharf Mews does not meet current highways guidance and so its use should not be intensified. The Council's Highways Officers are content that the road is of a sufficient standard to accommodate the amount of traffic that would use it. In any event, the applicant is proposing to increase the width of the road so that it would be a minimum of 5.5m wide throughout.

Wharf Mews would provide an acceptable pedestrian environment for new

residents with a footpath leading the full way down to Shortmead Street. A tactile paving crossing point would be introduced to facilitate access on to the footpath.

The internal road layout would be acceptable. The applicant has demonstrated that large vehicles, like bin lorries could safely manoeuvre within it.

The scheme would provide a policy compliant number of car parking spaces (where more than one space would be provided in front of a garage, the garage has not contributed towards the parking figure). Cycle parking would be controlled by way of a planning condition. Parking courts would be overlooked to an acceptable extent.

Paragraph 32 of the NPPF is clear that planning applications should only be refused on transport grounds where the impacts would be severe. That would not be the case here.

4. The quality of accommodation

All of the houses and flats would be of a good size and layout and would receive acceptable levels of light and outlook. The majority of the houses would be served by rear gardens in excess of the Council's standards. Two of the terrace of three houses at the east of the site and those fronting Wharf Mews would have smaller gardens. Those living in the apartment building at the north of the site would have use of two modest areas to the north and south of the building. When looking at the development as a whole, the standard of internal space would be high and the quantum and standard of outdoor space would be acceptable.

Some residents have suggested that a play area should be provided but there is no policy requirement for such provision on a scheme of this size.

5. The impact on neighbours

No's 5 and 6 Wharf Mews would be a minimum of 21m away from the nearest point of the proposed houses at the front of the site. The distance between the buildings would prevent the houses from appearing overbearing or casting a shadow that would be very problematic. There would be windows facing properties on Wharf Mews but the relationship, with a building on the other side of the road, would be a very common one and would not cause serious harm to privacy.

There would be no side facing windows in the proposed houses at the west of the site and those houses would be set back from the rear wall of the flats at No's 7 – 18 Wharf Mews. That, taken together the orientation of the buildings would prevent problematic overlooking in to the communal amenity space serving that building.

The relationship between the apartment building and the consented scheme to the north would be acceptable. The flatted building would be sufficiently far away and positioned in such a way as to prevent it from appearing overbearing when viewed from existing houses to the east and the distance between the upper

floor windows and those properties would prevent serious overlooking problems.

The terrace of three houses at the east of the site would be sufficiently distanced from No 5 Woodall Close to prevent harm to living conditions there. Plot 25 would be near to the boundary with the rear garden of No 43 Shortmead Street and that would likely lessen the enjoyment of the garden at that property. It is, however, a large garden and it would otherwise remain open (garages proposed to the west of that garden would be modest with flat roofs). Views back from first floor windows at Plot 25 and No 43 would be very limited by the orientation and siting of the respective houses.

Additional traffic would use Wharf Mews and more vehicles would reach the end of the road and pass in front of the flats to the west. That additional activity, whilst a distinct change for some residents, would not be uncommon in an urban environment like this one.

A number of residents have raised concern that an existing grassed area at the top of the road would be lost as a result of the development. It would be replaced by another soft landscaped area.

Whilst demolition and construction is generally disruptive, and to an extent an unavoidable consequence of development, here that disruption could be compounded by the site circumstances. A condition would require a detailed demolition and construction management plan to ensure that disruption was reduced as far as possible.

A condition would control existing and proposed levels at the site so as to protect living conditions of neighbours.

The impact on neighbours as a result of the development would be acceptable.

6. Biodiversity and trees

The bank between the river and the rear of the site is designated as a Local Wildlife Site. As such, a condition is recommended that would require a scheme of biodiversity enhancements to be submitted and approved.

The Council's Tree Officer has sought further work to confirm that trees at and around the site would be properly protected and a planning condition would require that.

A condition would also require that a revised landscape scheme was submitted to ensure that opportunities were maximised.

7. Flood risk, drainage and land quality

The Environment Agency and the Internal Drainage Board have raised no objections to the application. A detailed sustainable urban drainage scheme would be required by a planning condition.

8. Affordable housing and s106

10 units of affordable housing would be provided at the site (33%).

Measures to reduce car parking around the Shortmead Street/Wharf Mews junction would be funded by the developer.

The following education contribution would be secured through the s106 agreement:

Early years: £14,517.22

Lower: £48,392.40

Middle: £48,694.46

Upper: £59,712.31

Total: £171,316.89

9. Conclusions

This is a largely previously developed site in a very sustainable location in close proximity to Biggleswade town centre and all of the facilities that it provides. Decision makers are encouraged by national guidance to make efficient use of sites. This development would make a contribution towards meeting the Council's housing and affordable housing need.

The design and scale of the development, whilst representing a change to the current situation, would be of a high quality and the development would not result in the type of severe transport impacts that would justify refusal of the application. There would be no significantly detrimental impact on living conditions and planning conditions would address matters including ecology, tree protection and drainage.

Recommendation:

That Planning Permission is granted subject to the following conditions and the satisfactory completion of a s106 agreement reflecting the heads of terms set out in this report.

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

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

- 2 **No development shall commence at the site before the following has been submitted to and approved in writing by the Local Planning Authority:**

A Phase 1 Desk Study report prepared by a suitably qualified person adhering to BS 10175 and CLR 11 documenting the ground and

material conditions of the site with regard to potential contamination.

Reason: To protect human health and the environment in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). The nature of this condition requires that it is addressed prior to commencement.

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

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175 and CLR 11, incorporating all appropriate sampling, prepared by a suitably qualified person.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 Remediation Scheme (RS) prepared by a suitably qualified person, with measures to be taken to mitigate any risks to human health, groundwater and the wider environment, along with a Phase 4 validation report prepared by a suitably qualified person to confirm the effectiveness of the RS.

Any such remediation/validation should include responses to any unexpected contamination discovered during works.

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

- 4 Prior to the occupation of any dwelling at the site, details of surface materials for vehicular areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details in advance of the occupation of any dwelling at the site.

Reason: So as to safeguard highway safety and minimise inconvenience to users of the premises and ensure satisfactory parking of vehicles outside highway limits in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 5 The access to the site and the car parking shown on the approved plans shall be completed in advance of the first occupation of any dwelling at the site and shall be permanently retained and maintained thereafter.

Reason: To ensure that adequate and appropriate access and parking arrangements are provided at all times in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6 **No development shall commence at the site before a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be**

carried out in strict accordance with the approved Statement.

Reason: In the interest of highway safety and living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 7 Notwithstanding the information submitted with the planning application, no development shall commence at the site before a revised Arboricultural Impact Assessment and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include procedures and methods for site clearance, construction and the proposed retaining wall including removal of existing hard surfacing and proposed foundation design within root protection areas and associated level changes and details and distances of tree protection fencing and ground protection in line with BS5837 2012 Trees in relation to Design, Demolition and Construction. The development shall be carried out in accordance with the approved Statement.

Reason: To ensure that retained trees at the site are suitably protected in accordance with Policy DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 8 Notwithstanding the submitted details, no development shall commence at the site before a detailed Landscaping Scheme for the site including hard and soft landscaping, boundary treatment, species, sizes and densities of planting, a timetable for implementation and an ongoing Programme of Maintenance has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved Scheme.

Reason: To ensure that the appearance of the site and living conditions for future occupiers are acceptable in accordance with Policies DM3 and DM14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 9 Notwithstanding the details shown on the submitted drawings, no development shall commence at the site before a Schedule of Materials to be used in the construction of the buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Schedule.

Reason: To ensure that the appearance of the development and its impact on heritage assets is acceptable in accordance with Policies

DM3 and DM13 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 10 Notwithstanding the submitted details, no dwelling shall be occupied at the site before a Scheme for Biodiversity Enhancement at the site has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall be carried out as approved in advance of the occupation of any dwelling at the site and shall be retained and maintained permanently thereafter.

Reason: To ensure that ecology at the site is protected and enhanced in accordance with Policies DM3 and DM15 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 11 **No development shall commence at the site before details of how 10% of energy demand created by the development will be secured from renewable sources and how water efficiency measures will be successfully introduced at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that suitable sustainability measures are introduced at the site in accordance with Policies DM1 and DM2 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of the details required by the condition require that it is addressed prior to commencement.

- 12 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed FRA (Revision A: January 2016, R-FRA-T8070PM-01-A) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of full scale site investigation, including infiltration testing and groundwater assessment carried out in accordance with BRE 365, as well as details of how the scheme shall be maintained and managed after completion. Where revisions to the agreed strategy are proposed these shall be fully justified and approved by the Local Planning Authority. 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.**

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. The nature of this condition requires attention prior to commencement.

- 13 No building/dwelling shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a management and maintenance plan for the surface water drainage, and that the surface water drainage scheme has been approved on-site as having been correctly and fully installed as per the approved details.
- 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.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, garages at the site shall only be used for the parking of motor cars and for no other purpose unless planning permission has first been sought and obtained from the Local Planning Authority.
- Reason: To ensure that sufficient car parking is provided at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, there shall be no extensions or alterations to the dwellings at the site or erection of outbuildings without planning permission first having been sought and obtained from the Local Planning Authority.
- Reason: To ensure that sufficient amenity spaces is provided at the site and the appearance of the development is acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).
- 16 **No development shall commence at the site before details of existing and proposed levels at the site and its surroundings, including cross sections through the site with neighbouring buildings which have been agreed with the Local Planning Authority have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**
- Reason: To ensure that the appearance of the development and its relationship with neighbouring buildings is acceptable, in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). The nature of this condition requires that it is addressed pre-commencement.**
- 17 **No development shall commence at the site before a scheme for the provision of cycle parking at the site has been submitted to and approved in writing by the Local Planning Authority. The cycle parking shown on the scheme that is intended for use by occupiers of a dwelling shall be provided prior to the occupation of that dwelling.**
- Reason: To ensure that sustainable methods of transport are provided**

at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Council Design Guide (2014). The nature of this condition requires that it is addressed prior to commencement.

- 19 No development shall commence at the site before details of proposed boundary treatment at the site, including those of the proposed retaining wall at the west of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: To ensure that the appearance of the site would be acceptable and in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009). This condition requires addressing pre commencement because it is critical to the acceptability of the development.

- 19 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers Site Location Plan, Site Location Plan, RDC0134/110E, RDC0134/203B, RDC0134/202B, RDC0134/217A, RDC0134/216C, RDC0134/214A, RDC0134/203A, RDC0134/202A, RDC0134/204B, RDC0134/205A, RDC0134/217, RDC0134/216C, RDC0134/207B, RDC0134/208C, RDC0134/209C, RDC0134/219, RDC0134/111, RDC0134/219, RDC0134/218, RDC0134/206, RDC1034/210C, RDC1034/211C, RDC1034/217, RDC1034/222, RDC1034/223 Topographical Survey, Ecological Appraisal dated January 2015, Flood Risk Assessment rev A dated January 2016, Historic Environment Desk-Based Assessment dated January 2016, Design and Access Statement, Transport Statement dated January 2016, Planning Statement, Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated January 2016

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

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that parking for contractor's vehicles and the storage of materials associated with this development should take place within the site and not extend into within the public highway without authorisation from the highway authority. If necessary the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk on 03003008049. Under the provisions of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of construction of the development hereby approved.

2. Any unexpected contamination discovered during works should immediately be brought to the attention of the Planning Authority.
3. The British Standard for Topsoil, BS 3882:2007, specifies requirements for topsoils that are moved or traded and should be adhered to. The British Standard for Subsoil, BS 8601 Specification for subsoil and requirements for use, should also be adhered to.
4. Applicants are reminded that, should groundwater or surface water courses be at risk of contamination before, during or after development, the Environment Agency should be approached for approval of measures to protect water resources separately, unless an Agency condition already forms part of this permission.

Statement required by the Town and Country Planning (Development Management Procedure) (England) 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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