

## Item No. 9

APPLICATION NUMBER	CB/16/00374/RM
LOCATION	Land East Of, Station Road, Langford
PROPOSAL	Reserved matters following outline application CB/14/00186/OUT (110 houses) for the approval of appearance, landscaping, layout and scale.
PARISH	Langford
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Nikolas Smith
DATE REGISTERED	29 January 2016
EXPIRY DATE	29 April 2016
APPLICANT	BDW Trading Ltd
AGENT	
REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION	This is a major application and the Parish Council has objected.  Approval

**Reason for recommendation:** The appearance of the development, its relationship with existing neighbours, its highways impacts and the quality of the accommodation provided would be acceptable and in accordance with the aims of objectives of the Development Plan, including Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014). The development would be of an overall high quality and the principle of developing this site for housing has been established.

### Site Location:

The application site is approximately 6 hectares in size and located to the east of Station Road between this and railway on its eastern boundary. The southern boundary comprises residential development along Station Road and Cambridge Road and to the north residential properties along Station Road and Jubilee Lane surround the site.

The site comprises two agricultural fields with hedgerow boundaries apart from the southern and south western boundaries which include a variety of treatments of fencing and ornamental hedging.

Jubilee Lane forms a Bridleway along the north boundary of the site which extends to the east beyond the railway. There is an area of hard standing which separates the site from the railway line to the east. Beyond the railway is open countryside consisting of fields and hedgerows. The nearby wind farm at Land to North of Edworth Road, Langford is clearly visible from the site.

## **The Application:**

Outline planning permission was granted at this site for up to 110 dwellings (CB/14/00186/OUT) in June 2015. All matters were reserved except for access. That consent was subject to a number of planning conditions.

This application seeks the approval of the following Reserved Matters:

- Landscape
- Scale
- Appearance
- Layout

The submitted scheme shows 110 dwellings, with the following unit mix:

1 bed Flat	2 bed house	3 bed house	4 bed house	5 bed house
8	13	22	40	27

There would be two main access points from Station Road.

All properties would be served by car parking and amenity space. There would be two large play areas (one at the centre of the site and one near to the north west corner).

## **RELEVANT POLICIES:**

### **National Policy**

National Planning Policy Framework (2012):

Achieving sustainable development

4. Promoting sustainable transport

6. Delivering a wide choice of high quality homes

7. Requiring good design

10. Meeting the challenge of climate change, flooding and coastal change

11. Conserving and enhancing the natural environment

12. Conserving and enhancing the historic environment

### **Central Bedfordshire Council's Core Strategy and Development Management Policies 2009**

CS1 Development Strategy

CS2 Developer Contributions

CS3 Healthy and Sustainable Communities

CS4 Linking Communities – Accessibility and Transport

CS5 Providing Homes

CS6 Delivery and Timing of Housing Provision

CS7 Affordable Housing

CS13 Climate Change

CS14	High Quality Development
CS15	Heritage
CS16	Landscape and Woodland
CS17	Green Infrastructure
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
DM16	Green Infrastructure
DM17	Accessible Green Spaces

### **Supplementary Planning Guidance / Other Documents**

Central Bedfordshire Design Guide (2014)

Central Bedfordshire Sustainable Drainage Guidance SPD (2014)

Mid Bedfordshire Landscape Character Assessment (2007)

- 4C Upper Ivel Clay Valley
- 5G Dunton Clay Vale

Langford Green Infrastructure Plan (2011)

### **Relevant Planning History**

Outline planning permission was granted for up to 110 houses at the site at appeal in June 2015 (CB/14/00186/OUT).

### **Representations: (Parish & Neighbours)**

Press and Site Notices posted

Langford Council	Parish	Langford Parish Council most strongly objects to this proposal, the development is totally unsustainable from a key services perspective and will generate serious issues in the future unless addressed.
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This was recognised by Central Bedfordshire Council who refused the initial outline application on the basis it was outside the village settlement envelope and formed no part of the forward strategic housing plan.

Regrettably this refusal was overturned on appeal purely on the grounds that the local authority had failed to demonstrate progress and evidence of their 5-year land supply therefore rendering this forward plan as flawed. Although the community services impacts were presented to the Appeal by this Parish Council little or no cognisance was taken of them which was appalling in our view.

We do understand the need for additional housing and the pressure exerted on local authorities to satisfy that need but this must go hand in hand with the supporting services for example.

This Parish Council worked hard with the local authority to agree a development plan for the village which was a balance of amenity and development thus providing improved services and a good input to the village dynamics. As of today three schemes have been given planning consent providing a mix of social and market led housing using the sites within the plan plus one additional brown field area. In total these will result in the addition of 80 homes of which 39 will be housing association tenanted. The village services are enhanced through the provision of a new cemetery, development of our riverside green space and sports and leisure facilities.

Furthermore we totally dispute the allocation of the proposed Section 106 funds for the application now requested and have raised this directly with both Executive Councillors and Planning Managers with whom we are meeting on 14<sup>th</sup> April. A substantial fund has been arbitrarily allocated on a statistical basis without any local input whatsoever. At no time was this Parish Council invited to contribute even though we made the council aware of the issues at both the outline and appeal stages. The services that will impact the village directly have been ignored and funding is being totally wasted outside the community. Our residents do not accept this and neither does this Council who represent them.

### **Consultation**

The Parish Council displayed the proposals at a public meeting on the 15<sup>th</sup> March which was attended by over 100 residents (over 2 hours) who unanimously were opposed to the scheme. Many will be expressing those views directly to the council but to ensure completeness we have incorporated

them within our detailed response which follows.

### **Impact on the Village**

It is the belief of the Parish Council and those residents we represent that a development of this size is totally inappropriate to our village without the accompanying service support. The developments which have already been absorbed over the last 5 years (Garfield 58 homes, Whiteman's Close 12 homes, High Street 5 homes and Honeybee Close 4 homes) and those that are planned now Church street 47 homes, Goods Yard 22 homes and Wrestlers 10 homes have each been on sites that are complimentary to the village and provide additional amenities. It is recognised however that completion of these plans in themselves will over-stretch our infrastructure requiring investment from the local authority over time and to extrapolate that risk with a further 110 homes is, we maintain, unacceptable and is not a situation we should be exposed to. It should be noted here that a further application for another 46 houses in the same vicinity by the same developer is under consideration by the Council.

### **Specific issues**

#### **Children**

The three tier education system that exists in Central Bedfordshire is dependent upon children growing and being carefully managed through the education pyramid of Lower, Middle and Senior schools, the current and forecast position we have in the village means the addition of a further 110 families would significantly create an imbalance that cause some extremely difficult issues for both the people and children that live here and those charged with their education. It should be noted that Langford Village Academy provides special services to the surrounding area which will have to be seriously reconsidered should this scheme go ahead, For example a full classroom is used by Ivel Valley Special needs school and the catering provision provides meals to other schools other than Langford.

We urgently require the councils assurance this imbalance will be addressed.

#### **Pre School**

Our pre-school provision is at its limits and cannot cope at all

with an influx such as this development will bring. It is currently housed within our Chapel schoolroom which prevents expansion within the Ofsted regulations and already has to turn parents away. Given the government's latest stance on child care it is absolutely ridiculous not to plan to extend these key services alongside significant developments such as that under consideration. It should be noted that in other villages where sizeable developments are taking place the appropriate service provision is being made e.g. Stotfold and Arlesey

We urgently require the council's assurance this serious issue will be addressed within the current plan.

### **Adjacent residents and Parking**

The site has to both enter and exit onto Station Road (a 7.5ton limited carriageway) where there are already many residents who rely on on-road parking. The highways requirements over entrances here will inevitably cause parking to be severely overstretched the length of Station Road which given the other roads joining it (Bentley close, Mager Way, The Leys, Jubilee Lane and Flexmore Way) will create an extremely difficult highway to navigate safely. Mager Way is especially affected due to the existing visual restrictions that exist.

Should approval be given specific parking arrangements must be allowed for those residents who currently rely on street parking.

It should also be noted the proposals as yet to be determined for the site adjoining Flemore Way will exacerbate this issue significantly with a further 47 homes being proposed and which entry will be via Station Road.

The design of the new site is very limited on parking provision and will quickly become congested, insufficient parking bays are planned which do not help and the area will be a magnet for overflow parking from Station Road. This will inevitably cause disruption and anxiety for residents of the new site who will just revert back to blaming the council for the poor design and seek further unplanned restrictions.

### **Station Road**

It should be noted here that Station Road and its pavements are amongst the poorest in the village. Over a very small stretch it will now have multi (7) entrances with no real control.

The road is currently classified by residents as being dangerous due to heavy usage (main route out of the village to North and South A1) the significant extra traffic will add to this risk and must be addressed through appropriate traffic calming and the provision of specific parking bays. This risk is not recognised in the current plan at all.

It should also be noted the proposals as yet to be determined for the site adjoining Flemore Way will exacerbate this issue significantly with a further 47 homes being proposed with entry directly onto station Road.

### **Sewage Systems**

The village system is at its maximum and only operates by transfer of waste by tanker now. Every development receives the assurance from the water company in our case Anglia Water which we question; we know they have to provide a service and achieve their profit numbers but at some point the fragilities of the system have to be acknowledged and investment committed to.

There is no such commitment being brought forward under this proposal therefore we would urgently request the council to review this position to get the assurances required by our existing residents.

### **Flooding**

We note the surveys that have been done but the fact remains this part of the village is susceptible to flooding, the local authority's records of the 2013 /2014/2015/2016 winter clearly demonstrate the risk. Construction of the size proposed will inevitably create additional pressure on the drainage systems already failing and assurances must be provided to residents before any undertaking commences that this situation will be addressed in full.

### **Electricity Sub Station**

No mention has been made of this within the proposal, we know there is an already insufficient supply and the proposed extension could cause significant disruption for both existing and potentially new residents if not addressed. We require a categorical assurance for distribution to residents should approval be given that their power supply is fully protected.

## **Site Safety**

With so many houses so close to the East Coast Main line and the attraction to children we consider this to be a real safety risk but are unable to identify a full risk assessment within the published documentation. If this has not been actioned, it should be done as soon as possible and the results reviewed.

It is not clear how the proposed balancing ponds are made safe from interference, they will be a magnet for children and we require further assurances on this issue should approvals be given.

## **Children's Play**

It is only younger children who appear to be catered for onsite but the open areas as currently planned cannot be regulated to avoid a nuisance area being created. Langford does not suffer from this currently and would not wish to in future.

## **Transport**

The transport plan submitted is totally out of kilter with reality, the site does not connect into any cycle way and the pavements which do connect into the site are too narrow and in poor shape to cope with cycle users. The transport plan fails to highlight these issues.

Public transport serving the site is limited to a single bus per hour with a timetable that does not help those travelling to get rail connections etc. Therefore, most of the proposed new residents will be commuting and using cars thus adding to the excess traffic this area will experience. Once again this key sustainability issue has not been highlighted at all.

## **Specific Residents**

**Residents who are close to the site will respond directly but the following specific concerns have been expressed to us:**

49 Station Road believes their light will be impacted due to the close proximity of the new houses adjacent to their property.

The site will be overbearing to those properties adjoining the site and the design needs to be revisited. It should be noted this was an issue with the same developer over their proposals



for a site adjoining Flexmore Way.

From a design perspective the site does not blend with this area of the village at all and this impact must be considered.

### **Construction**

Should this site be approved there will be a very significant impact on the village especially for those residents who currently live in the vicinity.

The proposed site both exits and enter from Station Road which is a load restricted highway (7.5ton).

The main A1 feeder road to the North and South cannot be accessed due to the restrictions on Edworth Road and the railway bridge.

The North South route from Biggleswade will have to traverse the whole village dealing with 20mph limits, narrow access and difficult bends - many with cottages close to the highway.

For a three year construction programme whatever transport/construction plan is proposed (there is not one currently) will need a full consultation as we are not prepared to put up with the inherent risks as well as the noise, dust and rubbish that will inevitably occur across the whole village.

### **Conclusion**

We make no apology for the length of this response, it is necessary to get across the concerns of this Parish Council and its residents.

There is no doubt that this proposal is unsustainable, flawed in concept and brings nothing with it that will help the village to absorb circa 300 new residents and their families into our community. If the concerns expressed throughout this document are not dealt with at the outset they will cause serious issues for all concerned in the future, this is wrong and should not be allowed to happen.

### **Neighbours**

The following list is a summary of the issues raised within the 8 representations received relating to this application:

- Local infrastructure cannot accommodate this development
- There would be overlooking and a loss of privacy
- There should be no access from Jubilee Lane

- There would be too much play space which could attract anti-social behaviour
- There would be an increase in noise levels
- There would be light pollution
- Station Road is too narrow and there would be an increase in the risk of accidents
- The existing drainage system is inadequate and would be made worse under additional pressure
- There would be a loss of arable land
- The site is too near to the railway line
- There would be a loss of trees
- Plot 8 would be too near to the boundary with No 49 Station Road
- The distance between proposed houses and No 47 Station Road would be inadequate
- Too many houses are proposed

## **Consultations/Publicity responses**

### **Highways**

Earlier concerns addressed by amended plans.

### **Pollution Control**

The outline application appeal decision APP/P0240/A/14/2228154, CB/14/00186/OUT required prior to the commencement of development a Construction method statement (cond 9), a Phase II investigation of potential contamination and remediation/validation as required (cond 10) and a scheme for protecting the dwellings from noise from the East Coast main railway (cond 12). No further information on any of these conditions has been provided with the reserved matters application.

With respect to railway noise the layout plan does indicate some form of barrier along the eastern boundary with the railway but I am unable to read the label for the barrier and it is not supported with information that shows that the noise levels stated within condition 12 can be achieved with the proposed reserved matters layout and property orientation. I am concerned that if the current application is approved, without this supporting information, changes to the layout which require further planning permission to implement may be required to meet the standards in condition 12. Therefore I would advise that the applicant is requested to provide a noise assessment for the proposed layout, a detailed acoustic design statement and mitigation proposals prior to determining this application.

I consider that the construction method statement and the land contamination assessment is not likely to identify the requirement to change the layout or orientation of the dwellings and therefore this is not essential at reserved

matters stage but the applicant should submit these as early as possible to avoid potential delays in commencing construction.

SuDS Management Team We have no comments to make on this Reserved Matters application and await details to be submitted to discharge the surface water condition (No.11) on the outline application CB/14/00186/OUT.

Ecology From the information submitted it would seem that my earlier comments in relation to retaining hedges and hedgerow trees have been incorporated into the scheme which is welcomed. No additional information has been submitted in relation to ecology or indeed tree planting or species mixes for grassland or the management of such features. Referring back to the pre-app 15/4395 I advised that the NPPF calls for development to deliver a net gain for biodiversity and the inclusion of integrated bird bricks, SuDS and flower/ nectar rich wildlife areas/amenity grassland would achieve biodiversity gains so evidence of their inclusion would be welcomed.

Landscape Officer There are no detailed planting plans on which to comment, which I would have expected at this RM stage. However, I would like to raise a serious concern arising from a review of the landscape elements shown on the Planning Layout. This appears to illustrate trees and hedgerow being removed from along the Jubilee Lane boundary. This will need to be clarified, as all documents previously have referred to the screening and ecological value of this tree belt. Ecology, Trees and landscape and my own comments have highlighted the importance of this feature, so it would be totally unacceptable for trees and hedgerow to be removed from this boundary. From the Planning Layout drawing, I am concerned that there is no indication of additional trees proposed to augment the feature.

Sustainable Growth The Design and Access Statement states the development was designed to take advantage of passive solar orientation and include solar PV to ensure energy efficiency; and make use of water efficient fittings. This approach is welcomed; however there is no information whether the development will achieve sustainability standards required by the policies DM1 and DM2 as advised in the pre-application advice CB/15/04395. I would like more information on that matter, in particular in regards to whether the proposed solutions will result in the development achieving the following standards:

- a. 110 litres per person per day water efficiency standard;

- b. 10% energy demand of the development to be delivered from renewable or low carbon sources.

## Green Infrastructure

Previous comments made on the outline application related to retaining the existing hedgerow, including SuDS features within green corridors, the need for a positive interface between residential units and green corridors, and ecological and access links to areas to the north-east of the development site.

These considerations have generally been integrated in this reserved matters submission, which is welcome. It is beneficial that the attenuation areas are included within the green corridors, and the properties relate positively to these green corridors.

However, the SuDS features appear to be limited to attenuation ponds. Surface water conveyance and treatment (e.g. through permeable paving) should also be integrated with the landscape proposals, as well as with the urban form.

Although some positive information is provided, there is insufficient demonstration that SuDS have been designed in tandem with this reserved matters submission covering landscaping, and from the information provided, I am not satisfied that the design of the landscaping proposals indicates that the SuDS have been designed to complement these proposals and deliver multifunctional benefits, in accordance with Central Bedfordshire Council's adopted Sustainable Drainage SPD.

## Public Art

Central Bedfordshire Council actively encourages the inclusion of Public Art in new developments and looks to developers / promoters of sites to take responsibility for funding and managing the implementation of Public Art either directly or through specialist advisers and in consultation with Town and Parish Councils and Central Bedfordshire Council.

Key requirements are:

- c. Public Art be integrated in the development design process and ideally be addressed in Masterplans and Design Codes.
- d. Where possible artists should be appointed as part of the design team.
- e. Public Art should be site specific; responding to place and people including environment and materials.
- f. Public Art should be unique, of high quality and relevant to local communities.

Public Artists can include:

Artists and artisans, artist architects, landscape artists - with

experience in working in collaboration with developers, design teams and local communities.

The application site east of Station Road offers exciting potential to include Public Art to reinforce local distinctiveness, sense of place and community, therefore I request a Public Art Plan is prepared by the applicant and submitted for approval by the LPA.

The Public Art Plan should detail:

- g. Management - who will administer, time and contact details, time scales / programme
- h. Brief for involvement of artists, site context, background to development , suitable themes and opportunities for Public Art
- i. Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists
- j. Community engagement - programme and events
- k. Funding - budgets and administration.
- l. Future care and maintenance.

The Central Bedfordshire Design Guide, Section 4 Public Realm is available on the CBC website and offers comprehensive advice on the integration of Public Art within development. I would also be very happy to liaise with the applicant / developer to provide advice and support if required.

## Housing

I support this application as it provides for 39 affordable homes which complies with the affordable housing policy requirement of 35%. The supporting documentation however does not indicate the tenure split of the affordable units. The Strategic Housing Market Assessment (SHMA) indicates a tenure split as being 73% rent and 27% intermediate tenure from sites meeting the affordable threshold. This would make a requirement of 28 units of affordable rent and 11 units of intermediate tenure (shared ownership) from this proposed development. The supporting documentation indicates all affordable units will be built to the Lifetime Homes Standard and will also incorporate a small element of 4 bed units. Internal waiting list information indicates a small requirement for 4 bed units for affordable rent in and around the Langford area. I would like to see at least one of the 4 bed unit designated as affordable rent.

I would like to see the units well dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations

agreement with the Council. I would also expect all units to meet all HCA Design and Quality Standards.

#### Rights of Way

I object to the application as the connection to the bridleway (Langford Bw No.8) to the north of the application site circumvents important National Planning Policy Frameworks: Para's 73 and 75.

Para 73 is clear that access to recreation is vital while para 75 goes further and makes the connection of development applications to the rights of way network as an important aspect of any development.

The CBC Core Strategy and Development Management Policies 2009, with reference to cycling and walking and GI plan similarly ensures convenient access for walking and cycling (i.e. bridleway to north) to local facilities and employment. The route such a link to the development would have would allow a resident to cycle to Biggleswade for work by way of a countryside bridleway network thus increasing health and well being.

Reference to access and linkages by way of the DM3 policy for High Quality Development also reinforces the need for applicants to join easily to the nearest possible right of way network.

At this time the applicant fails on many points by not linking the development to the bridleway to the north of the application site by more than at one point.

As this is the most direct entry point to the rights of way network and will become heavily used, I require the applicant to pay for the surfacing of the 2 metre wide bridleway surface with a blinded gravel/MOT type 1 or planning's aggregate material. The expected cost for the 184 metre x 2 metre length is £9936.00. I will require the monies at the earliest possible time after initial occupancy is achieved.

I am also concerned that the applicant has only indicated ONE site connection to Langford Bridleway No.8 from within the housing area. This seems far too limiting and I ask you to press the applicant to create a similar connection to BwNo.8 at the north eastern corner of the site.

#### Network Rail

In relation to the above application I can confirm that Network Rail has no observations to make. However, we would remind the developer of the S106 agreement in relation to funding for improvements at the adjacent railway level crossing.

#### Open Space

The RM scheme proposes two central LEAP/LAP play areas,

each of approx 500sqm. This meets the requirement for play space. The location of the play area near the attenuation pond will require careful consideration to ensure safety of children playing near a water element.

#### Waste Services

Original comments in response to the outline application (14/00186) of needing vehicle tracking, roads to be adopted, BCP identified, turning point and preventing vehicle tracking have not been addressed.

Is the road to be adopted?

A BCP will be needed for the following properties:

1, 2, 7, 8, 19 – 23, 24-26, 32 - 36, 48 – 50, 57 – 61, 70 – 77, 79082, 88, 103, 104.

#### Archaeology

The permitted development site contains the remains of an Iron Age settlement (HER 19872) a heritage asset with archaeological interest as defined by the *National Planning Policy Framework (NPPF)*. This archaeological site was identified in an archaeological field evaluation undertaken as part of the outline planning application CB/14/00186/OUT. The development will have a negative and irreversible impact on the archaeological remains and the significance of the heritage asset with archaeological interest. As a consequence a condition (Number 7) was attached to the outline planning consent requiring the implementation of an approved programme of archaeological investigation in advance of development.

The details submitted with this reserved matters application will not materially alter the impact of the development on archaeological remains provided that the archaeological investigation required by Condition 7 is carried out satisfactorily. On that basis I have no objection to this application on archaeological grounds.

### Determining Issues

The main considerations of the application are:

1. Principle of Development
2. Character and appearance
3. The impact on neighbours
4. Traffic and parking
5. The quality of accommodation provided
6. Other matters

## **Considerations**

- **Principle of Development**

The principle of developing this site with the number of units proposed was established as acceptable when a Planning Inspector allowed an appeal in June 2015.

- **Character and appearance**

The development would consist of range of house types (although many of them would be larger, 4 and 5 bedroom houses) arranged in clusters throughout the site. They would be a mix of two-storey and two-storey with accommodation in the roof space.

The Station Road frontage would relate well to houses on the opposite side of the road and to the south. A number of existing trees would be retained along that boundary so as to seek to soften the impact of the development in the street scene.

There would be large areas of green space within the site and the layout would be logical and broadly in accordance with the Council's Design Guide for a development of this scale.

The design of the dwellings has been improved during the application process so that they would now be of a high quality, appropriate to their context.

The applicant has set out proposed materials but a condition would require that samples were provided so as to ensure that they were of a sufficiently high standard.

The submitted landscaping scheme appears to show the removal of trees at the north of the site. It is not clear why they should be removed and they have amenity value. As such, a condition would require an amended scheme with an increased number of trees on that boundary.

Overall, the development would be of a good quality and would have an acceptable relationship with the established character of the area.

- **The impact on neighbours**

A development of this scale will clearly impact on those living around it but the scheme has been designed so as to seek to minimise those impacts. Where new dwellings are proposed with habitable room windows facing existing habitable room windows, there would be a minimum distance of 21m, in accordance with the Design Guide.

Plots 80 and 81 would be located so that their side elevations were near to the rear boundaries of gardens on Station Road but those gardens are very long (around 45m) and so that impact would not seriously undermine the enjoyment



of those gardens. Further to the west, the side elevation of Plot 8 would be near to the rear boundary of the garden serving No 49 Station Road. That garden is very deep (around 35m) and so whilst that unit would result in a loss of some outlook, it would be harmful or overbearing to extent that could render the application unacceptable.

Rear facing windows at Plot 68 would have some views in to rear gardens of properties on Meadow View but it would not be an uncommon relationship in what would be quite a built up environment.

Some neighbours on the north side of Jubilee Lane are concerned that overlooking could be problematic but it would be a front to front relationship with at least 35m away across Jubilee Lane between the dwellings.

Concern has been raised that the level of open space provided could result in young people congregating and causing anti-social behaviour but the benefits of providing outdoor space for residents outweighs any risks associated with it.

A development of this scale in this location will impact on those who live around it. There would be an increase in overlooking at some points and the outlook for some will change quite significantly. The scale of these impacts, though, would be proportionate and acceptable. Planning conditions are recommended to ensure that first floor side facing windows at some Plots would not be problematic.

- **Traffic and parking**

The two main access points to the site were approved at Outline application stage.

The internal highways layout has been the subject of amendment during the planning application stage to ensure that it would meet current standards and the Design Guide.

Parking would be provided in accordance with Design Guide standards (where tandem parking is shown, it is not counted towards the total parking provision figure). Garages would also meet the Council's internal space standards. Cycle parking would be the subject of a planning condition.

- **The quality of accommodation provided**

All of the proposed houses would be of a sufficient size and layout. Gardens would, in most cases meet or exceed the Council's Design Guide standards. There would be a large amount of open space at the site and overall, the environment for those who would live at the development would be high.

Some measures have been shown on the submitted plans to seek to mitigate the noise impacts of the adjacent railway. This is the subject of a planning condition attached to the Outline Consent and will be dealt in due course. The applicant has been advised that should measures be required pursuant to Condition 12 that conflict with this layout, they will need to regularise that.

- **Other matters**

#### Drainage

Drainage is the subject of a planning condition attached to the Outline planning permission.

#### Rights of Way

The Council's Rights of Way Officer is concerned that there should be greater connectivity between the site and the existing bridleway to the north. That would be the subject of a condition.

#### Affordable Housing

The scheme demonstrates that 35% of the dwellings would be affordable and that these would be sufficiently dispersed throughout the site.

#### Human Rights

The development has been assessed in the context of human rights and would have no relevant implications.

#### The Equalities Act 2010

The development has been assessed in the context of the Equalities Act 2010

### **Recommendation**

That this application for the approval of Reserved Matters is granted subject to the following conditions:

- 1 **Notwithstanding the submitted details, no development shall commence at the site before samples of materials to be used in the external surfaces of the development 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 development is acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 2 **Notwithstanding the submitted details, no development shall commence at the site before a revised landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing additional trees on the northern boundary of the site and a pedestrian link between the site and the Bridleway to the north of the site. The development shall be carried out as approved.**

**Reason: To ensure that the appearance and layout of the site would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 3      **No development shall commence at the site before details of existing and proposed levels at the site including cross-sections between the site and existing neighbours of it 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 impact on neighbours would be acceptable in accordance with Policy DM3 of the central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 4      **Notwithstanding the submitted details, no development shall commence at the site before revised details of surface materials 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 would be acceptable in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).**

- 5      Notwithstanding the submitted details, there shall be no first floor north facing windows at Plot 8 or first floor west facing windows at Plots 80 or 81.

Reason: To protect living conditions at neighbouring properties in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009).

- 6      Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development within Schedule 2 Classes A-E of the Order shall take place at any dwelling at the site without planning permission first having been sought and obtained from the Local Planning Authority.

Reason: To ensure that the appearance of the development would be acceptable, that living conditions would be protected and that appropriate amenity space would be provided in accordance with Policy DM3 of the Central Bedfordshire Council Core Strategy and Development Management Policies (2009).

- 7      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 storage or private motor cars and shall not be used for any other purpose.

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).

- 8      No dwelling shall be occupied at the site before a scheme of cycle parking for the site together with a timetable for its implementation have been

submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved timetable.

Reason: To ensure that sufficient cycle parking is provided at the site in accordance with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the central Bedfordshire Design Guide (2014).

- 9 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers SF11.E.02, H421-5 REV H, H433-5 REV J, H455-5 REV H, H469-X5 REV J, H485-5 REV C, H533-5 REV H, H536-Y5, H586-H-5 REV C, H597-5 REV J, H588-5 REV C, H597-5 REV J, H536-Z5 REV L, H533-5 REV H, H455-5 REV J, H433-5 REV N, H421-5 REV L, H417-B5 REV A, SH39-X5 REV A, SH27-X5 REV A, T-307-E-5 REV L, XSG1F, XDG2S, XTG2S, H588-5 REV B, H469-X5 REV S, H485-5 REV C, H586-H-5 920130, SF11.E.01, H7188-101 D, H7188-06 D, DESIGN AND ACCESS STATEMENT JUNE 2016, H7188-05 A, ELL-137-DWH-B-650 F, ELL-137-DWH-B-651 F, ELL-137-DWH-B-652 F, ELL-137-DWH-B-653 F, ELL-137-DWH-B-654 F, ELL-137-DWH-B-670 A, GL0558 01B, GL0558 02B, GL0558 03A, H7188-102, LDG1S, NOISE MITIGATION REPORT DECEMBER 2015, GEOTECHNICAL AND GEOENVIRONMENTAL SITE ASSESSMENT SEPTEMBER 2015

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

## **INFORMATIVE NOTES TO APPLICANT**

### **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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