

Item No. 8

APPLICATION NUMBER	CB/16/01420/FULL
LOCATION	Land West of High Street, High Street, Arlesey
PROPOSAL	Erection of 40 dwellings with associated access, surface water attenuation basin and ancillary works.
PARISH	Arlesey
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Michael Huntington
DATE REGISTERED	08 April 2016
EXPIRY DATE	29 July 2016
APPLICANT	Wheatley Group Developments Ltd & Swan Hill Homes Ltd
AGENT	Woods Hardwick Planning Ltd
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to a major application recommended for approval
RECOMMENDED DECISION	Approval subject to completion of Section 106 Agreement

Site Location:

The application site comprises land between and to the rear of nos. 249 and 267-271 High Street, Arlesey, and to the east of the East Coast Mainline railway. A public footpath forms the site boundary to the north, a hedgerow forms a site boundary to the south, and towards the south east of the site the boundary runs alongside the rear garden to 249 High Street.

The site is currently rough grassland, is generally flat, and part of the site is designated as a County Wildlife Site. The site is currently fenced off.

It is one of several sites that make up Arlesley Cross. Arlesey Cross is the collective name for two separate large development sites that are situated to the East and West of the High Street, allocated as Policy MA8 in the 2011 Site Allocations Development Plan document.

Policy MA8 requires the allocation to deliver a minimum of 1000 new homes, together with new employment space, a new school, health facilities and other amenities as well as environmental improvements including provision of a relief road running north along the west of the High Street to the north-east of Arlesey and joining the A507.

The Application:

The applicant seeks full planning permission for the erection of 40 dwellings with associated access, surface water attenuation basin and all ancillary works. A mix of dwellings will be provided, including apartments, terraced houses, detached houses and a bungalow. Where the relief road connects with the High Street, land will be safeguarded so that the current t-junction can be altered to a double mini roundabout when the eastern part of the relief road is connected. The application will also protect the County Wildlife Site that lies within the site boundary.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS3 – Healthy and Sustainable Communities

Policy CS4 – Linking Communities – accessibility and transport

Policy CS5 – Providing Homes

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 - Landscape and Woodland

Policy DM3 – High Quality Development

Policy DM10 – Housing Mix

Policy DM14 - Landscape and Woodland

Policy DM15 - Biodiversity

Policy DM16 - Green Infrastructure

Policy DM17 - Accessible Greenspace

Central Bedfordshire (North): Site allocations Development Plan Document 2011

Policy MA8 – Arlesey Cross

Development Strategy

At the meeting of Full Council on 19 November 2015 it was resolved to withdraw the Development Strategy. Preparation of the Central Bedfordshire Local Plan has begun. A substantial volume of evidence gathered over a number of years will help support this document. These technical papers are consistent with the spirit of the NPPF and therefore will remain on our website as material considerations which may inform further development management decisions.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Central Bedfordshire Sustainable Drainage Guidance (May 2015)

Arlesey Cross Masterplan (adopted as technical guidance March 2014)

Arlesey Neighbourhood Plan (draft) 2016 - currently the subject of public consultation

Planning History

Several planning applications have been made in relation to the MA8 Allocation Arlesey Cross development area that are relevant to the determination of this planning application. They are:-

CB/14/00934/FULL Construction of the western section of Arlesey Relief Road – not yet determined, due to inability to access part of the land to undertake survey work

CB/14/03191/FULL Construction of section of relief road from the 5 ways junction – approved 5th Dec 2014

CB/15/02916/FULL Construction of the section of relief road between A507 and the High Street. Formation of new roundabout on A507 and mini-roundabout on High Street – approved 7th March 2016

CB/16/01211/FULL Hybrid application seeking full planning permission for 146 dwellings, new vehicular access off High Street, public open space and ancillary infrastructure, and outline planning permission for an up to 85 unit extra care facility and ancillary infrastructure with all matters reserved except for scale – current live planning application

CB/01608/OUT Outline Application: residential development of up to 56 new homes including play and open space and provision of section of Arlesey Relief Road (all matters reserved except access) – subject of a separate report on this committee agenda

CB/17/00492/FULL Construction of 2 roundabouts, 3 signalised pedestrian crossings and 2 bus laybys on relief road – current live planning application

Consultees:

Arlesey Town Council

Object

Following the agent's response to the objections raised to its initial application, Arlesey Town Council (ATC) remains of the view that planning application CB/16/01420/FULL is not in accordance with the development plan for the area, and fails to meet the

requirements of the Arlesey Cross masterplan. The Council still OBJECTS to the application on the grounds outlined below, and requests that Central Bedfordshire Council refuses to grant planning permission for the proposed development.

ATC continues to have concerns with the application following the agent's responses as follows:-

Planning policy and principle of piecemeal development within the MA8 site.

The agent is of the understanding that CBC is willing to consider individual applications within the site. It is our view that this approach is in conflict with paragraphs 9.1 and 9.2 of the Masterplan as stated in our original objection. Moreover, if applications are on an individual basis, there is the distinct possibility that the 'relief road' will never be built and thus the aims of Policy MA8 will never be met.

Traffic

ATC feels that any increase in traffic on the High Street, however small, is unacceptable. Furthermore, without a coordinated approach to the west side development which would guarantee the provision of the 'relief road', the impact of traffic from the proposed individual developments on both the east and west side will make the High Street intolerable.

That the assessment suggests 'that traffic utilising the secondary access even after the relief road is completed will be greater than traffic leaving this application site before the relief road is completed' is even more of a concern given that one of the key aims of the Masterplan is to alleviate the High Street not exacerbate the problems.

Construction traffic

The impact of construction traffic should construction commence ahead of the completion of the eastern 'relief road' is also a concern, and were CBC minded to grant permission to this application, ATC requests that a

condition be included to prohibit construction until the eastern 'relief road' is complete to minimise this impact.

For the above reasons, ATC remains of the view that the application is not in accordance with the development plan for the area and fails to meet the requirements of the Arlesey Cross masterplan, and requests CBC to refuse to grant planning permission for the proposed development.

The Town Council hereby seeks the Planning Officer's and CBC's Development Management Committee members' full consideration of these representations. In addition, the Town Council reminds CBC of the need to refer to the emerging Arlesey Neighbourhood Plan, a draft of which was published in July 2016, in their deliberations of this application.

We look forward to the notification of the relevant DMC meeting date when the application will be considered.

Internal Drainage Board	No comments
Environment Agency	No objection
Sustainable Drainage	We consider that planning permission could be granted to the proposed development, subject to planning conditions.
Highways Development Control	<p>Support</p> <p>Access arrangements are unchanged, with the proposal for a priority junction and land reserved for future construction of the western mini roundabout that will form part of the Relief Road/High Street junction as shown in the Arlesey Cross Masterplan.</p> <p>The increase in the number of dwellings will have a negligible impact on traffic flows generated by the proposed development. The Transport Statement includes a plan showing the location of accidents that have occurred within Arlesey between January 2010 and September 2015, and notes that none have occurred within 50m of the proposed access on the High Street. The applicant has included a capacity assessment for the proposed priority junction, assuming all development to the west of the High Street is complete. The assessment demonstrates that the junction would have adequate</p>

capacity, although notes that this scenario is unlikely to actually occur. The Transport Statement does not consider the cumulative impact of this and other developments on land west of the High Street on traffic flows on the High Street, taking into consideration the existing congestion caused by on-street parking that reduces the available width to one lane. It is suggested that the applicant is requested to consider this.

The applicant has provided a drawing showing the proposed priority junction arrangement (Drawing No. 17582-ARLE-5-124 C). This satisfactorily addresses previous comments on visibility splays and pedestrian crossing facilities.

For this site the proposed priority junction onto the High Street is temporary, until the construction of the double mini roundabout junction. The mini roundabout junction will be set within a raised table, and the associated cost should be considered when determining an appropriate contribution.

The applicant has submitted a revised Car Parking Strategy Plan, which satisfies the minimum parking requirements.

Should the grant of planning permission be considered, highway conditions and advice notes are recommended relating to engineering details.

Archaeology

The archaeological trial trench evaluation identified archaeological features throughout the proposed development site.

Most of the features found in the evaluation were undated and mainly comprised a series of ditches on a number of alignments. It is likely that at least some of these features form part of the pattern of medieval land boundaries. The Report concludes that the archaeological features identified in the evaluation are the remains of medieval and later agricultural activity contemporary with manorial site to the north west and the settlement to the south east.

The proposed development will have an impact on archaeological remains relating to the medieval and post-medieval settlement of Arlesey and associated agrarian

activity.

Paragraph 141 of the *NPPF* states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets before they are lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

This will be achieved by the investigation and recording of any archaeological deposits that may be affected by the development; the post-excavation analysis of any archive material generated and the publication of a report on the works.

In order to secure this, a planning condition will be requiring a written scheme of archaeological investigation that includes post excavation analysis and publication.

Ecology

There is concern that the site's inability to deliver a net gain in green infrastructure was based upon the habitat lost when the site was cleared of scrub prior to the application. The loss of nesting opportunities are partially mitigated for through integrated bird boxes in the new development but this is not a particular ecological gain. It is acknowledged that the ongoing management of the County Wildlife Site will be a benefit.

Trees and Landscape

A Landscape Masterplan has been supplied that indicates the landscaping principles. In general it appears to be well considered with emphasis on enhanced planting and a buffer against the County Wildlife Site boundary, and indicates substantial new tree planting including both native and ornamental trees in rear gardens and potentially quality planting along the Avenue which is also part of the proposed new relief road. This has been designed to allow a decent amount of space between potential tree planting and properties and as such this will allow an extensive choice of trees that could be used, including trees with a good mature size and spreading habit than is often planted in urban schemes. This should be encouraged.

Access onto the estate also indicates that there is a substantial grass amenity area that has potential for one impressive specimen tree to be planted and create impact on the entry to the site.

Details of landscape and boundary treatment will be required along with detailed Arboricultural Method Statement.

The impact in general on trees by this development should be minimal provided that suitable precautions are taken with regards to tree protection and construction methods.

The application shows the areas of tree protection fencing and also the Construction Exclusion Zones. There is no mention of ground protection or steps/sequence of works etc, as such we will require a detailed method statement that will identify the sequence of works on site with regards to tree protection.

Green Infrastructure

The masterplan for the wider Arlesey Cross development proposals shows a smaller area of development, and a larger area of green open space. It is understood that the boundary of the County Wildlife Site has been revised, but the fact that the area of green space has been reduced from the masterplan is a regrettable step, and will make the achievement of a net green infrastructure benefit more challenging.

Without this provision of informal open space, there would be increased pressure on the CWS itself to function as an accessible open space. This could potentially lead to ecological damage to the CWS, and access proposals would have to be designed in early, with input from ecology specialists. The impact of allowing limited access to the site to enable people to enjoy and connect with the site would need to be evaluated, to clearly show a net biodiversity gain, rather than a loss. The potential negative impact of preventing access entirely (in terms of the potential for antisocial uses) should be assessed, and the possibility of designing in managed access proposals should be evaluated. Access should be managed through vegetation or low key infrastructure (e.g. low fences or simple post and rail fencing) or through the use of boardwalks. Visually intrusive access management should be avoided.

The attenuation pond would need to be designed carefully with biodiversity benefits maximised through the provision of a range of habitats across a range of pond depths, with a mix of permanently, seasonally and infrequently wet areas. Further information is required to demonstrate how the design would maximise the GI and biodiversity benefits.

Information about management and maintenance of the surface water drainage is also unclear. As and LPA we are required by national policy on SuDS to be satisfied that clear arrangements are in place for ongoing

maintenance over the lifetime of the development.

Energy efficiency

The proposed development should comply with the requirements of the development management policies: DM1: Renewable Energy; DM2: Sustainable Construction of New Buildings; and Core Strategy policy CS13: Climate Change.

These policies require all new development of more than 10 dwellings to meet CfSH Level 3 and deliver 10% energy demand from renewable or low carbon sources. The energy standard of the CfSH Level 3 is below standard required by the Part L2013 of the Building Regulations.

The development should therefore as minimum comply with the new Part L2013 of Building Regulations and deliver 10% of their energy demand from renewable sources. In terms of water efficiency, the development should achieve 110 litres per person per day.

Public Protection

No objection subject to planning conditions which will be required relating to:-

Construction Environmental Management Plan
Noise Mitigation Scheme
Reporting of unexpected contamination

Design Consultant

The updated layout remains designed around a central relief road (spine road) which links the development with the existing High Street and future development sites (as part of the wider masterplan area) to the immediate south.

The amended layout has responded positively to previous comments made and these changes have collectively improved the development proposal. The realignment of key buildings on plots 38, 24-26 and 6-7 now help to provide a strong built frontage along the route of the new road. A consistent approach to the frontages facing the main spine road is important masterplan principle. The updated proposals suitably respond to section 4.4 of the masterplans overarching design principles which state that;

“The layout of the scheme has been informed by the constraints and opportunities together with the urban design principles set out in the Council’s adopted Design

Guide. It should be based on the 'perimeter block' approach, providing strong frontages throughout, corner turning buildings as required and focal points at key locations."

A northern connecting footpath from the site linking into the existing footpath has now been included in the latest plan, this footpath route now runs north around the eastern side of the attenuation area.

The updated layout and elevations have addressed the vast majority of my previous comments highlighted in my first written response.

Additional information is required regarding the proposed specification, materials, detailing, landscaping and design of the relief road which should be covered by the appropriate planning conditions.

Other Representations:

David Russell Support the application on the understanding that there will be no impediment to the free flow of traffic from the application site to their client's land.
Associates acting on behalf of Greene King (owner of adjacent site 2)

Philipps Planning Supports the application subject to caveats relating to the delivery of the double roundabout on the High Street and the delivery of footpath connections.
Services (acting on behalf of owner of site 3)

Determining Issues:

The main considerations of the application are;

1. Principle of development
2. Whether the proposed development is in accordance with the Arlesey Cross masterplan
3. Planning obligations
4. Other Considerations

Considerations

1. Principle of Development

- 1.1 Arlesey Cross is the collective name for two separate sites that are situated to the East and West of the High Street. The site was originally allocated in the Site Allocations Development Plan Document (as Policy MA8) for the North of Central Bedfordshire which was adopted by the Council in 2011. Policy MA8

requires a minimum of 1000 new homes, new employment space, health facilities, a new school and other amenities as well as environmental improvements including provision of a relief road running north along the west of the High Street to the north-east of Arlesey and joining the A507.

- 1.2 Policy MA8 required a masterplan to be produced to demonstrate how the individual development parcels could be delivered in a sustainable and coordinated manner. Individual development parcels can be considered provided they do not prejudice the overall delivery of the masterplan.
- 1.3 As an allocated site, the principle of residential development is therefore considered to be acceptable subject to compliance with the Arlesey Cross masterplan, which is considered in detail below.

2. Whether development is in accordance with the Arlesey Cross masterplan

- 2.1 Policy MA8 and the accompanying masterplan lists several planning principles for the effective development of this area, and the planning application should be assessed against these masterplan principles.
- 2.2 The principles set out in Policy MA8 relevant to this particular part of Arlesey Cross are:-
 - *The provision of a relief road running along the west of the High Street, to the north-east of Arlesey and joining the A507, with high quality environmental improvements providing better access to cyclists and pedestrians.*

The provision of the relief road is a fundamental part of the allocation MA8. With over 400 new dwellings to be located west of the High Street, it was considered that to enable development of this scale to be achieved, then this road would be a necessary element, which will then provide the main north / south route through Arlesey and enabling significant traffic calming through the High Street. Policy MA8 requires the relief road to be provided early in the development, without a definition of when early is.

The layout shows the development delivering its part of the relief road that serves its own development site, with connection points to the adjacent development sites to the south, allowing for a continuation of the relief road. Wording could be included in any Section 106 Agreement to secure these connection points.

Section 106 financial contributions will be secured to enable the creation of high quality environmental improvements on High Street, including raised tables, to be delivered once the western part of Arlesey Cross has been completed.

- *New cycle and walking routes within Arlesey*

New cycle and walking routes are provided as part of this scheme, connecting to existing footpaths to the north of the site, and providing the first part of the new western cycle and footpath route with a connection to the south.

- *Provision of substantial areas of strategic, publically accessible green infrastructure.*

Each site will have different types and amounts of green infrastructure. In this location the green infrastructure mostly consists of the retention and inclusion of the County Wildlife Site.

2.3 The main elements of the Masterplan that are relevant to this full application are:-

- *Parameters for scale and massing. New development at Arlesey Cross will comprise predominantly 2 storey terraced, semi-detached and detached dwellings with a maximum height of 3 storeys where appropriate.*

This full application shows a scheme that is a mix of detached, semi-detached, terraced and flat development, with a maximum height of 3 storeys.

- *The design of proposed dwellings will reflect the best features of local architecture.*

The elevations indicate that high quality design could be achieved. However a planning condition requiring the submission of further architectural detail will be necessary to ensure that the necessary level of quality is achieved.

- *Car parking will comprise a combination of on-plot, off-plot and on-street solutions, and streets will be designed to accommodate parking from the outset with the use of well-designed inset parking bays to avoid inappropriate parking.*

The submitted details demonstrate an acceptable approach to car parking which comprises a combination of on-plot, off-plot and on-street solutions in accordance with the Design Guide.

- *Sustainable drainage systems will be expected to be provided.*

The submitted details demonstrate an acceptable approach to sustainable drainage, subject to a planning condition requiring more detailed information on the system's management to be submitted.

- *The provision of an interconnecting network of primary and secondary streets and pedestrian and cycle routes, ensuring that the development has a high level of permeability.*

The submitted details demonstrate an interconnecting network, with vehicle and pedestrian routes linking to site 2 to the south and to the wider network to the north.

- *Matters that will inform decision-making on phasing will include:*
 - *Advice from technical officers and Statutory Consultees on when key infrastructure needs to be provided so that trigger points can be included in S106 Agreements and conditions on any planning permission;*
 - *Detailed highways modelling as part of a Transport Assessment on available capacity in the existing highways network;*
 - *Information on viability submitted in support of any applications; and*
 - *Deliverability of land and land ownership issues*

The Town Council are concerned that by considering individual applications for Arlesey Cross, there is the distinct possibility that the 'relief road' will never be built and thus the aims of Policy MA8 will never be met. It is not however considered to be viable to deliver the relief road in its entirety before development commences. The local plan does require the relief road to be provided early in the development, with no definition of what 'early' means, so does therefore allow for some development prior to the road's completion.

Planning permission has already been granted for the eastern part of the relief road, between the High Street and the A507, which is and owned by CBC. It is anticipated that its construction will begin later this year. The time frame for construction of this road is between 12 and 18 months, and so should be open by the time of first occupations on this site.

It is considered that site 1 can be developed prior to the rest of the western part of the relief road, and that the impacts of site 1 on the High Street and the wider amenity of the residents of Arlesey will not be significantly harmful. This would also allow delivery of the first part of the western relief road.

The requirement of the Local Plan allocation is that the relief road is to be provided early in the development. It is considered that site 1, together with sites 2 and 3, could in effect, create a self-contained loop of about

100 houses with 2 accesses, and cumulatively they would not significantly affect the High Street with unacceptable levels of traffic as the low level of traffic generated at this northern end of the High Street would directly access the eastern part of the relief road.

The masterplan (para 5.7 and figure 5.2) shows how the western and eastern parts of the relief road will connect with the High Street in the location adjacent to the entrance to site 1. This junction design will be phased, with the development of site 1 needing just a T junction, and the connection with the eastern relief road needing the double mini roundabout.

It is highly likely that further development sites would have to be linked to suitable triggers relating to the delivery of the western part of the relief road.

vii) The main critical infrastructure item that must be provided is the relief road and in conjunction with it, traffic calming measures on the High Street. It may not be viable to deliver the relief road entirely before development commences. If this proves to be the case through further viability testing, appropriate triggers will be required linked to the phasing of development and anticipated volumes of traffic, which will inform the maximum quantum of development that will be permitted prior to its completion.

The Town Council are concerned that by considering individual applications for Arlesey Cross, there is the distinct possibility that the 'relief road' will never be built and thus the aims of Policy MA8 will never be met. It is not however considered to be viable to deliver the relief road in its entirety before development commences. The local plan does require the relief road to be provided early in the development, with no definition of what 'early' means, so does therefore allow for some development prior to the road's completion.

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The masterplan (para 5.7 and figure 5.2) shows how the western and eastern parts of the relief road will connect with the High Street in the location adjacent to the entrance to site 1. This junction design will be phased, with the development of site 1 needing just a T junction, and the connection with the eastern relief road needing the double mini roundabout.

It is highly likely that further development sites would have to be linked to suitable triggers relating to the delivery of the western part of the relief road

viii) If the site were to come forward in more than one planning application, the LPA will need to be satisfied that the impact on the road network can be mitigated by appropriate phasing and /or other highway measures that will prevent unacceptable levels of traffic entering the existing road network until the relief road can be provided in full. Any future planning application submitted in respect of this site will require a comprehensive Transport Assessment to assess the highway infrastructure required at each stage of the development. Relevant planning conditions and/or obligations will be imposed to mitigate potential highway impacts.

The application is made in full, and the layout demonstrates that the site can deliver 40 dwellings without prejudicing the delivery of the entire western development area, providing part of the relief road to gain access to the neighbouring site to the south.

The Town Council have raised concerns that the proposed development will make traffic worse on High Street, unless the relief road is completed before any of the development sites. The Transport Assessment (non-technical summary) highlights in paragraph 8.62 that the impact of the development on the local road network will be minimal. It is anticipated that the development will generate 18 two-way trips per hour, which is unlikely to have any noticeable impact upon traffic along the High Street. In paragraph 8.79.1, the report assessed the cumulative impact of

development, and states that in the 'extremely unlikely' scenario where all the allocated land to the west of the High Street passes through the proposed site access, there would be spare capacity.

During the construction phase mitigation measures will be incorporated into a Construction Environmental Management Plan (CEMP). This will include restricting operational movements to appropriate times, and the implementation of traffic management measures.

Post construction, an increase in sustainable travel may arise due to the appointment of a travel plan coordinator.

3 Planning Contributions

3.1 Planning contributions have been sought, following on from the guidance that states that any contribution must be:-

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

Due to regulations introduced in 2015, restrictions on the use of s106 planning contributions have been limited for all Local Planning Authorities. The impact of this is that authorities will only be able to accept a maximum of five contributions towards each infrastructure project.

In order to maximise available contributions for this site all of the s106 planning contribution (£495,620) will be allocated towards provision of the new proposed lower school for Arlesey Cross and expansion of the existing middle and upper schools. A smaller planning contribution will be made towards environmental improvements to the High Street. Once sufficient funding is secured for provision of the lower school from a maximum 5 contributions, financial contributions from other parcels within MA8 will be used towards other essential infrastructure projects identified in the masterplan.

Other matters that will be dealt with by s106 legal agreement will include the provision of 35% affordable housing, and a requirement to ensure that the development will provide the necessary linkage for the continuation of the relief road to the south, the provision of land to enable the construction of the double mini roundabout, and pedestrian / cycleway connections to existing routes, to the north of the site.

4 Other Considerations

4.1 Neighbourhood Plan

Arlesey Town Council have produced a draft Neighbourhood Plan. The Arlesey Neighbourhood Plan is now subject to the final post-submission consultation period prior to examination.

The consultation period opened on 20th January 2017 and ran until 3rd March 2017. Following this period, the plan will now be subject to an independent examination. If the plan is successful at examination, it will be put to a referendum within the Arlesey parish.

The Neighbourhood Plan reiterates the Parish Council's wishes to ensure that the proposals contained within the Arlesley Cross Masterplan are implemented comprehensively, in the most sympathetic way possible to blend in with the current settlement, and deliver the infrastructure – social, green, transport and associated facilities – necessary to support it. It also wishes to ensure that individual development proposals are co-ordinated and in accordance with the design and other guidance set out in the Masterplan. Of particular concern is the delivery of the proposed Arlesey Relief Road, the provision of which in its entirety is viewed as a vital part of the Development Plan and Masterplan proposals for the area.

3.2 Human Rights issues:

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

Recommendation:

That Planning Permission be APPROVED subject to completion of a Section 106 Agreement and the following:

RECOMMENDED CONDITIONS / REASONS

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

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

- 2 This approval relates only to the details shown on the submitted plans, numbers 17341/1014B Planning Layout, 17341/1015B Parking Strategy Plan, 124C Site Access Arrangement Priority Junction, JBA 15/350 -01C Landscape Masterplan, 17341/116A Type 998 (LTH) Plans, 17341/117A Type 998 (LTH) Elevations, 17341/118A Type 992 (LTH) Plans, 17341/119A Type 992 (LTH) Elevations, 17341/140 Type 1738 V2 Plans, 17341/141 Type 1738 V2 Elevations , 17341/142 Type 1705 Plans, 17341/143 Type 1705 Elevations, 17341/144 Type 1115 Plans, 17341/145 Type 1115 Elevations, 17341/146 Type 1194 Plans, 17341/147 Type 1194 Elevations, 17341/150 Type 844 Plans, 17341/151 Type 844 Elevations, 17341/120B Flats Plans, 17341/121A Flats Elevations, 17341/122B 1B Bungalow Plans & Elevations, 17341/123A 3B4P V1 House Plans, 17341/124A 3B4P V1 House Elevations, 17341/125A 3B4P V2 House Plans, 17341/126A 3B4P V2 House Elevations, 17341/127A 3B5P House (LTH) Plans, 17341/128A 3B5P House (LTH) Elevations, 17341/148 Terrace Plots 24 - 26 Plans, 17341/149 Terrace Plots 24 -26 Elevations, 17341/129A Single Garage Plans and Elevations, 17341/130A Twin Garage Side Gable Plans and Elevations , 17341/131A Twin Garage Front Gable Plans and Elevations, 17341/132A Double Garage Side Gable Plans and Elevations, 17341/133A Double Garage Front Gable Plans and Elevations, 17341/135A Double Carport Plans and Elevations, 17341/137A Double (with drive through) Carport Plans and Elevations Plots 11 & 12, 17341/138A Double (with drive through) Carport Plans and Elevations Plots 2 & 3, 17341/139B Cycle Store Plans & Elevations

Reason: To identify the approved plans and for the avoidance of doubt.

- 3 **No development shall take place until details of all external 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 control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). This is a pre-commencement condition as materials cannot be altered after start of construction.

- 4 **No development shall take place until architectural details have been submitted to and approved in writing by the Local Planning Authority. These details shall include; window and door reveals, eaves, dentil courses, cills and headers, windows (material and method of opening) thresholds, meter box and other utility locations. The development shall be carried out in accordance with the approved details.**

Reason: To control the appearance of the buildings in the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009). This is a pre-commencement condition as architectural details cannot be altered after start of construction.

- 5 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA: 15-1120, 2016) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a site specific ground investigation report (in accordance with BRE 365 standards) to determine the infiltration capacity of the underlying geology and ground water level, as well as details of how the scheme shall be maintained and managed after completion. The scheme shall include provision of attenuation and a restriction in run-off rates as outlined in the FRA. 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. This is a pre-commencement condition as drainage systems are required to be installed prior to construction of the dwellings.

- 6 **No building / dwelling shall be occupied until a management and maintenance plan for the surface water drainage and evidence that the approved water drainage scheme has been checked, has been correctly and fully installed as per the approved details, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall implemented in accordance with the final details before the development is completed and shall be managed and maintained thereafter in accordance with the agreed maintenance and management plan.**

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

- 7 **No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of fire hydrants at the development. Prior to the first occupation of the dwellings the fire hydrants serving that development shall be installed as approved. Thereafter the fire hydrants shall be retained as approved in perpetuity.**

Reason: In the interests of fire safety and providing safe and accessible developments. (Section 8, NPPF). This is a pre-commencement condition as fire hydrants have to be installed prior to construction of the dwellings.

- 8 No dwelling shall be occupied until a landscaping scheme (as defined in drawing 15_350-01Rev C) to include all hard and soft landscaping and a scheme for landscape maintenance for a period of five years following the implementation of the landscaping scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented by the end of the full planting season immediately following the completion and/or first use of any separate part of the development (a full planting season means the period from October to March). The trees, shrubs and grass shall subsequently be maintained in accordance with the approved landscape maintenance scheme and any which die or are destroyed during this period shall be replaced during the next planting season.

Reason: To ensure an acceptable standard of landscaping. (Sections 7 & 11, NPPF).

- 9 No equipment, machinery or materials shall be brought on to the site for the purposes of development until details of substantial protective fencing for the protection of any retained trees as set out in drawing JBA 15-350 TP01 Rev C shown in appendix 2 of the Arboricultural Impact Assessment ref JBA 15/350 AR02 Rev C, has been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: To protect the trees in accordance with Section 8 of BS 5837 of 2012 and Sections 7 and 11 of the NPPF

- 10 Any external lighting to be installed within the areas of Green Infrastructure, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall not be installed until details have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and retained thereafter.

Reason: To protect the visual amenity of the site and in the interests of biodiversity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 11 No dwelling shall be occupied until a plan has been submitted to and approved in writing by the Local Planning Authority indicating the positions, design, materials and type of boundary treatment to be erected for each dwelling. The boundary treatment for each dwelling shall be completed in accordance with the approved scheme and be thereafter retained.

Reason: To safeguard the appearance of the completed development, the visual amenities of the locality and amenities of existing and future residents. (Section 7, NPPF)

- 12 **No development shall take place until details of the existing and final ground and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Thereafter the site shall be developed in full accordance with the approved details.**

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas. (Section 7, NPPF) This is a pre-commencement condition as ground levels cannot be altered after start of construction.

- 13 **No development shall take place until details of materials to be used in the construction of all road surfaces, footways and parking areas, including kerbs, shall be submitted to and approved in writing by the Local Planning Authority. The surfaces shall be constructed in accordance with the approved details.**

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality. (Section 7, NPPF) This is a pre-commencement condition as surfacing materials cannot be altered after start of construction.

- 14 No dwelling shall be occupied until a scheme for the provision of ecological enhancement measures has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the development provides a net gain in biodiversity. (Section 11, NPPF)

- 15 **No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of:**

- a) Construction traffic routes and points of access/egress to be used by construction vehicles;**
- b) Details of site compounds, offices and areas to be used for the storage of materials;**
- c) Contact details for site managers and details of management lines of reporting to be updated as different phases come forward;**

Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.

The development hereby permitted shall be carried out only in accordance with the approved CEMP.

Reason: To safeguard the amenity of existing and future residents. (Section 7, NPPF) This is a pre-commencement condition as this detail needs to be agreed before the start of construction.

- 16 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 2015 (or any Order revoking or re-enacting that Order with or without modification) no garage accommodation may be converted to additional living accommodation until detailed plans and elevations have been submitted to and approved in writing by the Council.

Reason: To retain off-street parking provision and thereby minimise the potential for on-street parking which could adversely affect the convenience of road users, in accordance with Policies CS14 and DM3 of the Core Strategy and Development Management Policies Document (2009).

- 17 **No development shall take place until wheel-cleaning facilities which prevent the deposit of mud or other extraneous material on the highway during the construction period have been installed at all vehicular site exits and made operational and the Site Developer(s) shall ensure that these are used by all vehicles exiting the site until the development has been substantially completed or until the roadworks necessary to provide adequate and clean access to and from the public highway have been completed (apart from final surfacing).**

Reason: In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

(Section 7, NPPF) This is a pre-commencement condition as this detail needs to be agreed before the start of construction.

- 18 Notwithstanding any provision of the Town and Country Planning (General Permitted Development Order) 2015 (or any Order revoking or re-enacting that Order with or without modification) no building erected for the protection of gas transporter plant or machinery, electricity plant or machinery, or telecommunications equipment shall be permitted until detailed plans and elevations have been submitted to and approved in writing by the Council.

Reason: To ensure that such equipment is located in unobtrusive positions in the streetscape and compliments the materials and appearance of the surrounding development, in accordance with PoliciesCS14 and DM3 of the Core Strategy and Development Management Policies Document (2009)

- 19 **No development shall take place until a written scheme of archaeological investigation; that includes post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

Reason: A failure to secure appropriate archaeological investigation in advance of development would be contrary to paragraph 141 of the *National Planning Policy Framework (NPPF)* that requires developers to record and advance of understanding of the significance of any heritage assets to be lost (wholly or in part) as a consequence of the development. (Section 12, NPPF) This is a pre-commencement condition as the investigation needs to take place in advance of construction.

- 20 No development shall commence until full engineering details of the access arrangements have been submitted to and approved by the Local Planning Authority, and no dwelling shall be occupied until such time as the approved works, including the provision of appropriate visibility splays, clear of all obstructions, have been implemented.

Reason: In the interests of the visual amenities of the locality in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document(2009)

- 21 No dwelling shall be occupied until a scheme for protecting proposed dwellings from noise from the railway line has been submitted and approved in writing by the local planning authority. Any works which form part of the scheme approved by the local authority shall be completed before any permitted dwelling is occupied, unless an alternative period is approved in writing by the Authority. The scheme shall include details of noise barriers, building insulation, window glazing and alternative ventilation strategy for the proposed dwellings.

The scheme shall ensure that internal noise levels from all noise sources shall not exceed 35 dB LAeq, 07:00-23:00 in any habitable room or 30 dB LAeq, 23:00-07:00 and 42 dB LAmax, 23:00-07:00 inside any bedroom and that noise levels in any external amenity area shall not exceed 55 dB LAeq, 1 hr within the first 5m from the building facade to which the amenity area relates.

Reason: To protect the amenity of future residents in accordance with PolicyDM3 of the Core Strategy and Development Management Policies Document)(2009)

- 22 “No dig construction” methods will be used in constructing driveways and parking areas for any development in the three areas identified in paragraphs 5.13 – 5.17 of the Arboricultural Impact Assessment ref JBA 15/350 AR02 Rev C, in accordance with a method statement to be submitted to and agreed in writing with the Local Planning Authority. The method statement shall identify the sequence of works on site with regards to tree protection.

Reason: To protect the trees in accordance with Sections 7 and 11 of the NPPF.

INFORMATIVE NOTES TO APPLICANT

1. The applicant is advised that in order to comply with Condition ... of this permission it will be necessary for the developer of the site to enter into an agreement with Central Bedfordshire Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. Further details can be obtained from the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN viii)
2. The applicant is advised that if it is the intention to request Central Bedfordshire Council as Local Highway Authority, to adopt the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations shall be submitted to the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ . No development shall commence until the details have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place. (HN xii)
3. The applicant is advised that no highway surface water drainage system designed as part of a new development, will be allowed to enter any existing highway surface water drainage system without the applicant providing evidence that the existing system has sufficient capacity to account for any highway run off generated by that development. Existing highway surface water drainage systems may be improved at the developer's expense to account for extra surface water generated. Any improvements must be approved by the Development Management Group, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford SG17 5TQ. (HN ix)
4. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Statement required by the Town and Country Planning (Development Management Procedure) (England) Order 2015 - Part 6, Article 35

The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and 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
