

## **Item No. 11**

<b>APPLICATION NUMBER</b>	<b>CB/17/00358/RM</b>
<b>LOCATION</b>	<b>Land east of Hitchin Road and south of the Former Pig Testing Unit, Hitchin Road, Stotfold</b>
<b>PROPOSAL</b>	<b>Reserved Matters: Erection of 180 dwellings with landscaping, open space and associated works pursuant to outline planning permission reference CB/16/01455/OUT dated 30th June 2016</b>
<b>PARISH</b>	<b>Fairfield</b>
<b>WARD</b>	<b>Stotfold &amp; Langford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Dixon, Saunders &amp; Saunders</b>
<b>CASE OFFICER</b>	<b>Alex Harrison</b>
<b>DATE REGISTERED</b>	<b>06 February 2017</b>
<b>EXPIRY DATE</b>	<b>08 May 2017</b>
<b>APPLICANT</b>	<b>Lochailort Fairfield Ltd</b>
<b>AGENT</b>	
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Parish Council objection to a major application.</b>
<b>RECOMMENDED DECISION</b>	<b>Reserved Matters - Approval</b>

### **Reason for Recommendation**

The application proposes development that complies with the outline consent. The scheme has been designed taking account of the character of the existing Fairfield development and proposes an acceptable mix of dwelling types. The commercial floorspace is integrated as part of the overall development and is accommodated for in highway terms. The layout has considered the location of existing dwellings adjacent to the site and does not harm residential amenity. Development is therefore considered to be acceptable in light of the National Planning Policy Framework, policies within the Core Strategy and Development Management Policies and the Council's adopted Design Guide.

### **Site Location:**

The application site forms an area of arable land located to the east of the Fairfield settlement. To the north of the site lies the former Pig Development Unit which is has planning permission for residential redevelopment, and immediately west and south west of the site there are a number of semi-detached dwellings. The surrounding field parcels are mainly grassland. They are defined by hedgerows and extend as far south as the sewage works which falls within the neighbouring Hertfordshire boundary. To the east there are further arable fields with boundaries marked by hedgerows.

The site would be accessed via an existing roundabout on Hitchin Road which currently serves the Fairfield development and the four semi detached houses to the

north.

The site lies within the open countryside but not within designated Green Belt.

### **The Application:**

Reserved matters approval is sought for the erection of 180 dwellings and commercial floorspace, landscaping, open space and associated works at the site.

The matters submitted for approval are:

- Layout
- Appearance
- Scale
- Landscaping

Access was a matter approved under the original outline consent for the site under ref: CB/17/01455/OUT. The development has been designed incorporating the access road layout approved for the adjacent school which is currently under construction (Ref: CB/16/01454/FULL).

The scheme proposes a mixture of detached, semi-detached, terraced, cluster, apartments and coach house style units with formal public open space including equipped play areas and sustainable urban drainage proposals.

The scheme includes the provision of 18 discounted first time buyer units as required by the outline consent.

The proposed scheme has been amended a number of times since its original submission to take account of consultee comments and points raised by the Case Officer. Principally the first scheme submitted did not include previously proposed flexible commercial floorspace and the case officer wrote to the applicant advising that it was expected that the outline consent proposed be realised in full. The floorspace is now proposed as ground floor area on a building at the entrance of the site with its own parking areas. Flats are proposed above this which enables the permitted 180 dwellings to be proposed. The floorspace is proposed as flexible usage which is as per the outline consent. The flexible uses (which were secured by condition on the outline consent) are a shop (A1), cafe (A3), surgery (D1) and/or offices (B1).

### **RELEVANT POLICIES:**

#### **National Planning Policy Framework (NPPF) (March 2012)**

#### **Core Strategy and Development Management Policies - North 2009**

CS1 Development Strategy

CS5 Providing Homes

DM1 Renewable Energy

DM2 Sustainable Construction of New Buildings

DM10 Housing Mix

DM4 Development Within & Beyond the Settlement Envelopes  
CS14 High Quality Development  
DM3 High Quality Development  
CS7 Affordable Housing  
CS2 Developer Contributions

## **Local Plan**

The Council is currently consulting on its Draft Local Plan (Regulation 18). The Plan outlines the overarching strategy for growth and also sets out more detailed policies which will be used to determine planning applications. A substantial volume of evidence gathered over a number of years supports this document. These technical papers are consistent with the aspirations of the National Planning Policy Framework and therefore will remain on the Council's website as material considerations, which will, along with the direction of travel of the Local Plan, inform development management decisions.

## **Fairfield Neighbourhood Plan**

The Fairfield Neighbourhood Plan is at an advanced stage and is to undergo referendum in Mid September prior to formal adoption depending on the outcome of the vote. The plan at this stage can be given some weight as part of the decision making process.

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

Central Bedfordshire Design Guide (March 2014)  
Sustainable Drainage Guidance SPD (May 2015)

## **Relevant Planning History:**

Application Number	CB/15/01455/OUT
Description	Outline Application: mixed-use development comprising flexible-use commercial unit (Use Class A1 (shop) A3 (cafe) D1 (surgery) B1 (offices); 180 dwellings; landscaping; open space; access; parking; and associated works (all matters reserved except access
Decision	Approve
Decision Date	30/06/2016
Application Number	CB/15/01355/OUT
Description	Outline Application: new lower school (All matters reserved).
Decision	Approve (At the Committee meeting of 22 July 2015)
Decision Date	21/08/2015
Application Number	CB/15/01454/FULL
Description	Erection of 2-form entry Lower School and nursery with access, parking, all-weather pitch with changing facility, landscaping and associated works
Decision	Approved
Decision Date	30/06/2016

Immediately north of this application site:

Application Number	CB/15/03182/FULL
Description	Erection of 131 dwellings with access, parking, landscaping, open space and associated works.
Decision	Approve (At the committee meeting of 9/12/2015)
Decision Date	18/12/2015

**Consultees:**

Fairfield Parish Council      Fairfield Parish Council objects to this application on the grounds that the proposals, having been materially changed from that approved at the Outline planning stage, will result in severe cumulative highway impacts, particularly with regard to highway safety on Dickens Boulevard and at the Dickens Boulevard / Kipling Crescent junction. The Outline planning permission was granted on the basis of a Transport Assessment which considered the impacts of a development which included commercial and community land uses. That Transport Assessment becomes null & void with the removal of these aspects of the scheme, as further analysis / mitigation will be necessary, therefore to suggest that this application can rely upon the Outline permission is considered irrational and unreasonable.

Most importantly, the removal of the commercial unit (or space for such a unit) will have the effect of increasing the potential traffic distribution on the local highway network, meaning that vehicles associated with new houses will now make 'diverted' trips into Fairfield Park, in order to visit the Tesco Express store. This may not be material in terms of road junction capacity however it will be material in terms of parking capacity in the vicinity of the Tesco Express and associated highway safety impacts, including Dickens Boulevard, where significant parking and highway safety issues already exist.

Similarly, the removal of the potential doctor's surgery (or space for such a unit) means that whereas those occupying the new dwellings would have been likely to walk to the surgery, they will now be required to drive to other facilities outside of the immediate area. This again may not add up to a large volume of vehicle trips such that junction capacity is impacted, however no analysis has been provided to quantify such impacts and there would also be impacts upon parking capacity and patient capacity at and around existing doctor's surgeries.

Further to the concerns above, we note that the internal road layout may not be suitable for CBC refuse vehicle

access. Vehicle tracking included on the site plan appears to be for a smaller vehicle than CBC utilise and even that appears to show overrun of kerbs and conflicts with landscaping areas, plus a need in some locations for private driveways to be utilised for turning. Vehicle tracking should be provided for the entire site, illustrating that refuse vehicle access is possible, in a manner compliant with the relevant standards.

#### Following revised plans

Fairfield Parish Council continues to be disappointed at the removal of the community uses from the proposals, however welcome the re-introduction of the retail facilities.

We are concerned that there appears to be no provision of a dedicated area for goods vehicle access or a turning area for the retail unit(s). This is an issue at the Tesco store in Fairfield which causes safety and traffic flow issues and we would not wish to see the same issues occur at the new development, especially given the proximity of the retail unit(s) to the main site access

#### Highways

The proposal for 180 dwellings and a limited amount of commercial development was approved in principle and access agreed under outline consent CB/16/01455/OUT. It incorporates access to a new lower school at south approved under CB16/01454/Full and links to the neighbouring housing development at north. Off site works are proceeding under s278 Highway Act, including modifications to the roundabout at the junction of Hitchin Road and Eliot Way, new footway and crossing points to serve all three sites.

The Planning layout shown on drawing no. 17755/1003 depicts a street hierarchy to provide movement through the site. The internal road network is considered legible and permeable, but there are issues with the extent of adoption, widths of road and parking arrangements which appear to move away from intentions and the spirit indicated at outline stage and thereafter. It raises questions over operational suitability:

- A limited number of streets are to become adopted highway mainly those to serve the school. The area for adoption appears to exclude a 3.0m path from Hitchin Road to the pedestrian gate at the school, connection to the development to the north, emergency access and the more formal link to the pumping station and Pix Brook. Whilst it is a voluntary arrangement to enter into a s38

agreement, it is intended that where there is access for the general public, it is expected that routes will be constructed to adoptable standard taken in for adoption as public highway. Instead, the revised Design and Access Statement suggests that it will cover only part of the phase 1 s38 produced by pba and submitted under drawing no. 38149/C/141 together with associated details. The extent of the area to be adopted requires clarification, including the demarking of the boundary, and responsibilities for ownership and maintenance made clear to potential residents.

- The pedestrian / cycleway link to the development to the north and any path to form a through route should be a minimum of 3.0m width to ensure adequate width for passing.
- Where there are no footways service margins should be shown on both sides, including around all turning areas and laybys on the 'minor' streets.
- A minimum height clearance of 2.4m for an archway will be necessary where no fire appliance access is required, such as at plots 144-146.
- Whilst a fire appliance can manoeuvre along the streets, no analysis is shown for the emergency access and the adjoining access road, and should be demonstrated. Additionally, there are issues with the swept paths for the refuse vehicles shown on Waste and Recycling Strategy, Drawing no. 17755/1007 which are very tight in places, being close to parking bays and overhanging raised areas, such as at plots 117-118, and the deterrent paving area / verge to the immediate west of the vehicular access to the school. The widths will need to be adjusted where there are raised to ensure adequate manoeuvring arrangements for waste collection. If the internal roads are to remain substantially private, clarification is required with the Waste Service over collection.
- A Traffic Regulation Order is required for enforceability of the one-way section. School Keep Clear markings and parking restrictions were considered at outline too, and to be enforceable will require other Traffic Regulation Orders. No reference is made to these in this submission and requires clarification on arrangements for these to progress.

445 car parking spaces are required, including 45 visitor spaces to meet the minimum car parking standard for the housing type schedule. Most are to be provided on plot or in courts. The Car Parking Strategy shown on drawing

no. 17755/1006 indicates 556 spaces due to an additional 85 spaces being depicted as being 'unrecognised' by Central Bedfordshire Council. These are recognised and, mostly, are additional tandem spaces in front of garages, making two spaces in front of car ports / garages contrary to the 2014 Central Bedfordshire design code. This is likely to lead to obstruction and inconvenience to other road users as vehicles are manoeuvred. This is a particular concern for the driveways serving plots, 1, 2, 3 and 178 given the proximity the entrance to the development site, the additional traffic in the locations due to the intended commercial and educational uses, and, for plot 3, the limited off-set from the ramp. Additionally, in the proximity of the urban square for plot 172, and school circulation area at Plots 151, 152, 154 and 155, 164 and 165. Adjustments are required to reduce the conflict risks.

Those plots with car ports/garages with dimensions shown on Drawing no's 17755/156-158 have cycle parking included and are of sufficient size. Those without are to be provided with a shed of bicycles as depicted on Drawings 17755/161 and these too are adequate. There are issues with some on-street parking spaces which must remain unallocated to a plot if the street is to be adopted. Currently, as drawn there are allocated places which are not included within the submitted phase 1 s38 layout:

- Of the 46 of the car parking spaces are shown on-street, the two for plots 03 and 177 are restricting the entry width of the gateway feature on the main street and should be removed or placed in a layby as shown on the Phase 1 s38 drawing.
- Four bays are allocated at the school frontage for plots 150, 151, 154 and 155 and should be unallocated and marked as visitor to serve as school drop off and pick up zone as expected at outline stage to reduce the conflict risks with school related traffic which will occur at various times of the day given that part time arrangements will occur for those in nursery and / or early year stages of their education.
- 12 bays for residents border the Green Square along with 10 visitor bays. The bays for residents are divorced from plots 19 to 21, 165 to 171 and create safety risks by narrowing the approach to school from the level of interaction and tensions over usage. No such bays are shown under the Phase 1 s38 drawing for such reasons. Additionally, there is no nearside margin to allow the opening of car doors due the adjoining fence

requiring car users to step into a 'live' carriageway. If bays are to be provided, a margin or footway is needed and the widths adjusted, accordingly.

Checks should be made on the position of landscaping features, parking bays and pedestrian crossing points to ensure that there is no obstruction of visibility splays, such as at plots 3, 78, 89, 100, 106.

The submitted Traffic Management Plan for construction purposes and the Site Set Up shown on drawing no. CBC138-000 and, are considered, reasonable to mitigate the risks associated with these works.

Concerns, however, remain. There is need to co-ordinate layouts with the Phase 1 s38. In order to address some detailed aspects of the road layouts, parking and road adoption, I require, therefore, further clarification to ascertain compliance with the outline approval for safe access, passage of vehicles and circulation.

Following amended plans:

I note the revisions, including:

- The provision of commercial units, apartment and associated parking served off Main Street replacing dwellings, including a few on the private drive
- Submission of revised swept paths and car parking strategy
- The provision of a path between the Green Square and the parking bays
- Clarification of widths for footways and cycleways, service margins, heights of archways, and some areas for adoption

The issue concerning the area in the school and plots 151-155 etc. relates to the number and types of opposing manoeuvres in close proximity which raise the probability of occurrence of safety and inconvenience risks despite relatively low speeds.

On the TRO's, such orders cannot be conditioned due to other legislation applying and uncertainty associated with a separate consultation process; an informative would cover.

On adoption, clarity is required to enable the Highway Authority to provide appropriately worded conditions in line with national advice and reinforced by the

Department of Transport in its April 2017 Advice Note on 'Highway Adoptions' and, to signal to all parties, their responsibilities and the access arrangements, particularly for the general public, emergency services and waste collection.

The modifications are welcome which provide a better understanding and reassurance on the operation of the development. There should be more than an adequate number of parking spaces; although where there are more than two tandem spaces inconvenience could arise on repositioning vehicles. Of the bays that are grouped or provided as parking courts, these are of reasonable size and, as drawn, provide adequate clearance for those adjacent boundaries such as fences or walls. Swept paths are tight against the visitor bays at plots 39, 40, 42, 43 and 106, but should be achievable, even if the bays are in use. Given that much of the development is to remain private further advice on waste collection should be sought from the relevant service department. The Traffic Management Plan for construction purposes is acceptable.

Some points of detail remain to resolve which have arisen in part by this amended application well as from details within the s38 submission notably on demarcations, and from the longitudinal sections that highlight the steepness of Main Street which suggests that drivers can pick up speed in advance of bends counter to the design of the road alignment as speed reducing measures requiring adjustments to meet forward visibility.

Furthermore, on the first section of Main Street to the Urban Square, the allocated bays to plots 526 to 518 on the south side will need to be outside of the adopted highway where arrangements, but given the layby would risk being used by others on a first come first served basis. The street should be constructed flush to the ramp near plot 08. There is no requirement for the granite sets.

At the Urban Square, the area of adoption should form a square, and include the visitor bays on the north side and the area to the back edge of the path. It should continue eastwards in a straight line to Block 6-18 incorporating the section of road to the east of the visitor bays and the feature at the mid point of the Square.

There is a lack of forward visibility on approach to the crossing at the Green Square / Green Link due to another bend, requiring the removal of three visitor bays together with adjustments to the kerb line to prevent parking obstructing the line of sight of pedestrians approaching or

on the crossing.

On the one-way section, two visitor bays have replaced the bus / coach bay and this should revert to bus / coach unless the school has requested otherwise.

The path outside Block 147-149 should gradually fall towards the ramp. A 50mm upstand should separate the shared cycle / pedestrian link from the carriageway and extend to the private drive. The junction of the private drive should be squared off to better demark the extent of adoption. Within the private drive, a buffer zone should separate the cycle / footway from the carriageway; again to provide demarcation. This could take a form of a verge. These arrangements would allow fencing and gating of the private area, if necessary, to reduce the risk of it becoming parked by users of the school, and any potential over-running of the public cycle / footway.

As the outstanding matters do not change the position of roads or features thereon significantly, I suggest that these can be covered by conditions and informatives.

#### Tress and Landscape

Landscape details are acceptable although would prefer it if all planting of standard trees were to be of either root-ball or container grown, it appears that a number of fruit trees are to be supplied bare rooted. Can we see this changed?

Landscape Management Plans are acceptable.

#### Following amended plans

No additional comments but looking at earlier comments do not see the changes asked for with regards to bare root planting.

#### Pollution Team

Letchworth Sewage Treatment Works is located to the south of the proposed residential development. The Pollution team has been investigating numerous complaints of sewage odours affecting existing residents of Hitchin Road and Fairfield Park since April 2016 and an odour abatement notice has now been served on Anglian Water requiring them to reduce odour emissions from their process. Anglian Water has submitted an appeal against the notice which has not yet been heard by the courts.

The proposed dwellings are located in the direction of the prevailing wind (south westerly) and in close proximity to the Letchworth Sewage Treatment Works and are therefore likely to be affected by odour more frequently and more extensively than the majority of existing

dwellings. The proposed development will introduce a large number of additional residents into an area adversely affected by sewage odour.

The applicant has not provided any information regarding the odour impact of the sewage treatment works on the proposed dwellings. There are few options to control odour emissions that are transgressing into the area and the most effective odour control is mitigation at source which is outside the control of the applicant. Options on site might include no build zones for areas subject to odour units above the recommended levels, construction of sealed units with odour control on air intake and no amenity areas located in the affected areas.

The applicant should provide an odour assessment of odour emissions from Letchworth sewage treatment works to support the proposed development.

#### Following amended plans

In addition to the objection to the proposed development in Public Protections comments, 7 which remain applicable, would like to make the following comments on the amended plans;

The applicant has introduced an area of flexible use commercial development with seven units of residential accommodation above. The proposed flexible-use commercial unit (Use Class A1 (shop) A3 (cafe) D1 (surgery) B1 (offices) is likely be detrimental to the amenity of the proposed residential accommodation above and adjacent occupiers with customer noise, plant noise, deliveries and odour from extraction systems. Insufficient information is provided on the intended future use to comment in detail on the potential impact.

Further details should be submitted for the flexible use commercial unit prior to development commencing including type of use, hours of operation, details of plant, machinery and equipment, details of extract ventilation systems. A noise scheme to mitigate noise impact on the proposed residential premises above and adjacent to the flexible use commercial building is required to include floor/ceiling insulation details, window and ventilation specifications and any other required mitigation measures.

Notwithstanding the above objection if development management are minded to grant permission then recommend conditions for plant noise, opening hours, delivery hours and a noise scheme for adjacent and

attached residential premises.

Sustainable  
Drainage

Urban The details submitted with this RM application are generally acceptable. We await details to be submitted to discharge condition 8 (surface water) on the outline application.

It appears there is some proposed planting near to the Pix Brook and the applicant should check with the Internal Drainage Board that this is acceptable and will not obstruct their maintenance activities.

Following amended plans

No further comments on the application.

Ecology

Comments made for the Outline application, CB/16/1455, do not seem to have been taken into account with the reserved matters scheme and hence they are repeated below;

2.8.5 of the D&A states 'amenity and recreation areas throughout the scheme. These spaces are set out to be well overlooked, well defined within the public realm and located to be made easily accessible.', and yet looking at the planning layout it is evident that dwellings to the south of the central hedgerow back onto this corridor. Given the strong nature of this connective tree line / hedge more should be made of the corridor placing it in the public realm with homes facing it. The layout demonstrates this well where homes look onto POS in the East.

2.8.8. of the D& A states 'A large area of open space has been provided at the Eastern-most and Southern-most boundaries of the site' This statement is completely disingenuous as the areas in question are undevelopable due to floodplain and cordon sanitaire restrictions. The Green link to the south should be extended to the central hedgerow boundary to fully support connectivity through the site.

the provision of the Ecological Enhancement Scheme is welcomed and the following condition should be applied to ensure adherence to it;

All ecological measures and/or works shall be carried out in accordance with the details contained in the January 2017 Ecological Enhancement Scheme as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

### Following amended plans

The revised planning layout drawing 17755/1003B has still not taken earlier comments into consideration and are reiterated.

Sustainable  
Officer

Growth

The submitted evidence is for two types of dwellings and shows compliance with the policy DM2 requirement of water efficiency standard of 110 litres per person per day. However the proposed development consists of 8 types of dwellings and Part G compliance calculation sheets should be submitted for all 8 types.

### Energy calculations and renewable energy requirement

The submitted Energy Statement states that 10% energy demand will be achieved through fabric specification and use of renewables. Although policy DM1 requires that 10% of the development energy demand is sourced from renewable sources, the proposed approach is acceptable as it achieves overall policy aim of reducing energy demand and carbon emissions. To provide evidence that this approach will be implemented Part L compliance sheets need to be submitted that clearly demonstrate that the energy demand for each dwelling will be reduced by at least 10%.

If the above documents cannot be submitted at this stage than the following conditions should be attached to the permission:

- 10% of development's energy demand to be delivered from renewable sources or energy demand reduced by 10% through application of fabric improvements (as proposed by the applicant) compared to base design which is Part L 2013 compliant);
- Water efficiency to achieve water standard of 110 litres per person per day.

The above conditions will be discharge on submission of the following evidence:

- Part G Water calculation output sheets for each dwelling type
- Part L energy compliance calculation output sheet for each dwelling.

### Following amended plans

In response to the agent letter dated 23<sup>rd</sup> March 2017, the requested detail in respect to renewable energy condition is justified as the condition requires the development to achieve standards above and beyond

compliance with the Part L of the Building Regulations. This information must be submitted in order to discharge the condition.

Compliance with the higher water efficiency standard of 110 litres per person per day will be checked by the building control process. The calculations are requested at the planning stage to ensure that the development is able to achieve the higher standard. The applicant is obliged to inform building control that there is planning condition to achieve the higher water efficiency standard under the Part G of the Building Regulations.

Landscape Officer

The 'urban square' adj plots 9 - 16/18 - 167/172 is very hard and would benefit from additional street tree planting to define space, soften views, provide shade and contribute to management of surface water run-off.

Orientation of proposed development along the northern site boundary is not acceptable and should be orientated to ensure the east - west landscape corridor is retained within the public realm and does not form domestic boundaries; more advice is included in the CBC Design Guide.

More street trees within the public realm and ideally linked to bio retention areas needs to be considered. Views from dwellings on to the proposed school boundary would benefit from additional tree planting to soften resident's views.

The north/south access / residential road linking the footpath along the northern site boundary with the 'Green Square' and landscape areas to the south of the sit must be a 'green corridor' to connect GI and include more native planting, street trees, potential for wildflower grass verges and ideally linked to SuDs / bio retention areas.

The public access from the east- west landscape corridor needs to be larger and form more of a 'gateway' - possibly including bespoke gateway pier designs echoing those proposed elsewhere on site?

The proposed Green Square and LEAP are very formal and bland; whilst understanding the design principle to reflect the features of Fairfield some of the formal landscape areas of Fairfield are not as successful as could be. It may be a formal shape and include more natural parkland trees in groups with bespoke street furniture in clustered groups.

More information is required on street furniture - this

again should be a bespoke design to enhance sense of place / local distinctiveness.

The proposed POS to the southern portion of the site including the 'kick about area', LEAP and attenuation area could integrate these uses / functions in a more imaginative way - utilising the attenuation area as part of natural play or include more wet woodland planting to encourage imaginative play and enhance habitat.

The pumping station could be better integrated within the landscape design.

The LEAP appears to include black top and grey safety play surfacing which is very boring for a play area, the treatment of floorscape and design to enhance play and imagination needs to be considered further.

More detail is required on SuDS;

Given piped solutions are not acceptable as per the CBC SuDS Guidance surface water management needs to be accommodated within the areas of built development and include features such as open channels, rills, bio retention areas and connecting swales.

The pond and attenuation areas offer exciting opportunities for habitat creation and natural play; more detail including plans and sections describing levels, landscape and varieties of habitats / margins, design of surface water connections / outfalls , any boundary treatments and features such as board walks or play boulders need to be considered further.

#### Following amended plans

Previous comments reiterated.

#### Green Infrastructure

The green corridor along the disused footpath is an important green infrastructure asset. The proposed layout does not relate well to this feature, with dwellings backing onto this area. It should be treated with the same design approach as other green corridors within the development, with properties facing a designed, multifunctional corridor. The current layout is not acceptable in relation to this feature.

This corridor needs to be connected with other green infrastructure features within the proposed development, particularly the central green space and LEAP. The GI plan in the Design and Access Statement (Fig 16) shows a green link between the southern green corridor and the

green space, but there is no provision of a green link to the north of the green space, connecting to the east / west corridor. The provision of pedestrian connectivity (through a narrow gap at the north of the scheme) is inadequate. A green link between the green space and the north of the site is required, and the need for this has been highlighted in previous comments at the outline application stage.

However, the layout of the scheme in relation to the planned green corridors is positive, with properties facing onto the Pix Brook, southern green corridor, green link and central green area.

It is understood that further information will be provided relating to the discharge of condition 8, looking at surface water management. However, consideration of surface water management is required in relation to this application, concerning the layout of the scheme. The surface water management plan submitted at the outline application stage indicated that surface conveyance of surface water (e.g. through swales) would be included. However, these features are not shown in the layout plans. The layout plans need to be amended so as not to prejudice the delivery of surface water management as set out in the outline application, and that would be compliant with CBC's adopted Sustainable Drainage SPD. Given that these features were included in outline application material, they need to be carried through into this application relating to layout, before being fully detailed in further applications relating to the discharge of surface water conditions. Surface water management features within the residential development for conveyance as well as storage need to be shown in the layout, in order to be in line with previous application material, and with CBC's requirements for SuDS.

In terms of the surface water attenuation area next to the LEAP in the southern green area, this needs to be designed to complement the adjacent recreational use, with safe access. Information on the safe design of SuDS is provided in CIRIA's SuDS manual - intrusive fencing or health and safety equipment would not be acceptable. This should be considered by the applicant in preparation for the submission of detailed material relating to surface water management.

#### Following amended plans

The updated application material has not addressed previous comments.

## Public Art

Many thanks for the opportunity to comment on this outline application regarding 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:

- Public Art be integrated in the development design process and be addressed in Master plans and Design Codes.
- Where possible artists should be appointed as part of the design team at the earliest design stage.
- Public Art should be site specific; responding to place and people including environment and materials.
- 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.

Given the scale and character of the proposed development, and site context, suggest there are many exciting opportunities to include Public Art within the residential and commercial developments.

If the application were to be approved then request a Condition be applied.

The Public Art Plan should detail:

- Management - who will administer, time and contact details, time scales / programme
- Brief for involvement of artists, site context, background to development , suitable themes and opportunities for Public Art
- Method of commissioning artists / artisans, means of contact, selection process / selection panel and draft contract for appointment of artists
- Community engagement - programme and events
- Funding - budgets and administration.
- 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 and features in parts Public Art within the Fairfield development, illustrating how Public Art can enhance sense of place, community and quality in the environment.

The CBC Public art Officer would be happy to liaise with the applicant / developer to provide advice and support if required.

Internal Drainage Board The Board object to the layout of the development as landscaping, footpaths and flood storage ponds are all shown to be located within the Board's byelaw strip of 7 metres adjacent to Pix Brook which must be kept clear of all development due to the Board's maintenance operations.

Environment Agency No comments received.

Anglian Water The submitted documents include no further information relating to foul drainage as part of this application. Therefore we have no comments relating to the submitted documents.

No comments on the proposed surface water drainage proposals as they do not relate to any Anglian Water assets.

Rights Of Way There are no Rights of Way within this application site.

Waste Services The Council's waste collection pattern for Stotfold is as follows:

- Week 1 – 1 x 240 litre residual waste wheelie bin, 1 x 23 litre food waste caddy
- Week 2 – 1 x 240 litre recycling wheelie bin, 2 x reusable garden waste sacks, and 1 x 23 litre food waste caddy.

Please note that bins are chargeable for all properties and developers will be required to pay for all required bins prior to discharging the relevant condition. Our current costs for these are: £25 +VAT per 240l bin, and £5 +VAT per set of food waste bins.

Wherever possible, refuse collection vehicles will only use adopted highways. If an access road is to be used, it must be to adoptable standards. Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for at 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste

bags. Waste vehicles will reverse a maximum of 15m to the point of collection. The bin collection points provided look to be satisfactory, providing the pull distance is not further than 10m from point to refuse collection vehicle. The submitted vehicle tracking analysis will also need to be approved by Highways to ensure the vehicle can manoeuvre around the site safely.

As there are flats as part of the development, the following information applies. Communal waste provision is allocated on the basis of 90l per week per waste stream per property; therefore we would provide 1100 or 660l bins to be collected fortnightly. These will be charged at £350 + VAT per 1100l / £250 per 660l bin. Our waste collection crew will move communal bins a maximum of 10m from the bin store to the waste collection vehicle, providing there are suitable dropped kerbs.

Bin stores should be easily accessible from the main highway and it is crucial that the store is secure with a lock to prevent potential fly tipping issues. A lock code will need to be provided to the Central Bedfordshire Waste Services Team. The door used by the collection crews will need to be wide enough to allow for easy removal of bins from the storage area. A dropped kerb will need to be provided to enable easy manoeuvrability, access and egress of the bins. Lighting within the bin store should be provided so that the bins can be used safely by residents when it is dark.

#### Following amended plans

There is no perceived issue with where the proposed bin store is located; however we would require confirmation that all of the previously specified requirements have been met. Also, we would need to see dimensions of the bin store and have confirmation that pull distances have not been exceeded.

Bin collection points appear to have been provided for any areas that are not accessible for the refuse vehicle. However, householders should not be expected to transport waste bins over a distance greater than 25m, and what is the proposed method of refuse collection for the properties located on the roads that are to remain unadopted? Refuse crews will only use adopted highways.

Travel Plan Coordinator

The travel plan submitted is in support of the residential aspect of the outline permission and as such satisfies the requirement under condition 20 of CB/16/01455/OUT for

a travel plan, cycle parking detail and pedestrian and cycle route information to be provided for each subsequent reserved matters application.

Considering the concerns raised by Highways DM in terms of the supporting information deviating from what was provided at outline stage, will approve this travel plan once these concerns have been alleviated as the success or otherwise of the travel plan will be based upon satisfactory walking and cycling routes.

The developer should also be aware that there is a pre-commencement condition attached to permission CB/16/01455/OUT which requires a site wide travel plan (encompassing all land uses) to be submitted and approved, into which individual plans such as the current residential plan referred to above will feed into.

### **Other Representations:**

#### Neighbours

28 letters have been received raising the following objections and comments:

- The plans do not have the originally planned infrastructure. No shop or surgery, pharmacy or pub/restaurant.
- No infrastructure to support the development.
- Commercial units should be made obligatory with any approval.
- Commercial unit is too close to Hitchin Road and will cause traffic issues.
- Pedestrian links between this site and the former pig testing site are essential.
- Development will increase traffic on Hitchin Road and Dicken Boulevard from people going to Tesco
- Visitor parking at the entrance to Hitchin Road will cause issues with increased traffic flow and cause congestion at the roundabout.
- Visibility onto Hitchin Road should be improved.
- Location of the construction compound will harm the amenity of 159 Hitchin Road
- Increased impact of noise and fumes to 22 Dickens Boulevard
- A Footpath route to Stotfold should be provided or widened.

### **Determining Issues:**

The main considerations of the application are;

1. Principle

2. Affect on the Character and Appearance of the Area
3. Neighbouring Amenity
4. Highway Considerations
5. Other Considerations

## **Considerations**

### **1. Principle**

- 1.1 Outline planning permission was granted for the development of the site to provide the following:

*Outline Application: mixed-use development comprising flexible-use commercial unit (Use Class A1 (shop) A3 (cafe) D1 (surgery) B1 (offices); 180 dwellings; landscaping; open space; access; parking; and associated works (all matters reserved except access)*

The principal of development is therefore established through the previous outline consent. The initial reserved matters application proposed a scheme of residential dwellings only with no commercial floorspace which resulted in objection raised by the Parish Council on the basis that the reserved matters scheme did not reflect the outline proposal. The plans were therefore amended to include a commercial floorspace area.

### **2. Affect on character and Appearance of the Area**

- 2.1 The proposed residential scheme shows a mix of dwelling types and sizes which creates an appropriately diverse housing mix. The development has been designed having taken account of the distinctive character of the Fairfield settlement with traditional detailing apparent throughout. This is in line with the goals of the draft Neighbourhood Plan. The development has been oriented to provide active frontages to the public realm areas and a mix between continuous and broken frontages throughout. The development has included bespoke designs at termination points and detailing such as gateway piers to create a sense of place.
- 2.2 The layout has been proposed in accordance with the design guide and shows a number of shared surface areas off of the principal road route through the site. This contributes to establishing a residential character to the development in terms of establishing a sense of place through the street. .
- 2.3 The scale of development is set largely at 2-2.5 storeys high but there are larger elements of the scheme which are not a standard feature at an edge of settlement site however in this instance contribute to establishing a traditional character to the development which is acceptable.
- 2.4 Consultee comments are noted however the development is considered to include suitable levels of green infrastructure and open space. The outline consent indicated a green link route that would run north to south and link to the adjacent development north of this site. This has not been achieved as the 'link' does not materialise north of the green square however it is possible to walk from the northern site into this development and vice versa. The open space and landscape proposal is considered to be a benefit of this scheme providing both

formal and informal play areas and space as well as walking links within the site.

### **3. Neighbouring amenity**

- 3.1 In respect of the impact on existing neighbouring amenity the development will abut the dwellings to the north 153 – 159 (odd) Hitchin Road. The scheme has kept the shop units away from the northern boundary of the site which has removed any previous concerns over noise and disturbance through activities and plant equipment installed. The layout shows dwellings adjacent to the nearest dwelling 159 Hitchin Road but these have been orientated so that they are not overbearing to the existing residents and that built form is not dominant on the boundaries. There are buildings shown at the end of the gardens for these plots however these are deep gardens and it is considered that the proposals will not harmfully affect light to the garden areas and would not be overbearing. Of the units that are close to these common boundaries there are first floor windows on Plot 12 that look towards the garden area. The plan indicates some planting in between but it will be necessary to require these windows and rooflights to be obscurely glazed/high level. Plot 33 has a stairwell window looking towards the garden areas but this serves a non-habitable room and is therefore considered acceptable. Plots 13 and 34 have windows facing the gardens but they serve bathrooms and would be obscurely glazed. To ensure privacy is not affected in the future it is necessary to remove permitted development rights to Plots 12 and 34 to not allow installation of windows or roof alterations on their rear elevations.
- 3.2 The occupiers of 157 and 159 Hitchin Road have objected on the grounds of amenity harm by virtue of the location of the construction compound. These objections are pertinent and it is considered that a more suitable location can be provided that is away from neighbouring residences. Alternative proposals will be required and these will be secured by the need for the developer to agree the location with the Council via condition on the outline consent.
- 3.3 In respect of providing suitable amenity space for occupiers of the proposed scheme the case officer did write to the applicant to advise of concerns over substandard garden provision on some plots. The scheme has been amended on two occasions to address these concerns. On balance the scheme is now considered to provide suitable amenity space for the development. Flats have shared amenity space and layouts of the dwellings are such that there are no overlooking issues between properties. The scheme proposes a number of dwellings (plots 115-123 incl) that are referred to as 'Cluster Apartments'. Concern was raised over these as rather than cluster homes they were shown to be houses without gardens which was considered unacceptable. The amended scheme now shows this arrangement to consist of semi detached properties and a group of four dwellings in a cluster with shared amenity space.
- 3.4 The proposal shows a number of plots with large garage buildings that have residential accommodation above. This accommodation is ancillary and could form a home office or annexe. Dormer windows are proposed in the roof to serve the accommodation area and the dormers have been designed to face the gardens of the dwellings they are associated with rather than look into other properties. The scheme originally proposed external staircases as access points but the applicant was advised that these would cause overlooking impacts and the buildings were amended to have internal staircases. The first floor annexe

accommodation does increase the scale of these garages but they are not considered to be overbearing in spite of being visible from other properties. It will be necessary to have conditions removing the ability to create new openings on these building and to ensure they are ancillary to retain appropriate amenity levels.

- 3.5 The Pollution Officer has raised objection to the development being so close to an Anglian Water treatment plant. Outline consent, and therefore the principle of development, was granted on the basis of the site and its relationship to the plant without objection from the Pollution Officer who noted that the layout showed dwellings further away from the plant than existing properties. It is unreasonable to introduce an objection to a reserved matters planning application on this ground now that outline consent is granted. The applicant has kept residential properties away from the southern boundary outside of a notional cordon sanitaire and this is considered to be in line with the outline consent and acceptable as a result. The council is aware of odour problems with this plant but it is noted that Anglian Water are the responsible authority for the plant and they have commented that the application does not contain the foul water scheme for the site. This is reserved to be approved by condition on the outline consent.
- 3.6 The shop units will inevitably come with needs for external extraction or plant installations and there are residential units above and adjacent to these. A condition will be required to approve plant details and any necessary mitigation as occupiers are identified in the interests of providing suitable amenity levels.
- 3.7 On the basis of the above considerations the proposal is considered to be acceptable in respects of amenity subject to conditions highlighted above.

#### **4. Highway Considerations**

- 4.1 The access proposal was approved at outline stage and is proposed as per the first application. The layout of the proposed development reflects the indicative road layout submitted as part of the outline application. The road layout is considered acceptable and would ensure school traffic is accommodated within the site as well. As part of the outline approval a series of works off-site to Hitchin Road, including crossings and footpaths, have been approved with appropriate triggers for implementation.
- 4.2 In respect of parking provision the scheme is considered to provide design guide compliant on-plot provision for the residential properties proposed. A number of formal unallocated visitor spaces are also proposed and a large proportion of these have been located close to the school and the green square which can then double as drop off/pick up parking for parents of school children at peak times where available.
- 4.3 The shop unit provision also includes its own identified parking provision. For the floor area proposed the layout shows 18 spaces either adjacent the units or in a rear parking area. It will be necessary to ensure suitable street furniture is installed in the proximity of the shop units to discourage customer parking on the street at the expense of highway convenience and safety at the entrance of what will be a regularly used access point given the scale of development.

4.4 The Parish Council have raised objections on the grounds that the site layout does not provide suitable turning area for service/delivery vehicles associated with the shops. In response the applicant has submitted details showing how vehicles can move within the site and therefore enter and leave the development in a forward gear. As a result there are no objections to servicing provision for these units.

## **5. Other considerations**

### **5.1 Ecology**

The comments from the Ecologist are noted in respect of the relationship of the scheme to existing landscaping. The desire to keep the existing tree planting is an ideal however there is a balance to be had with the overall design and layout of the development. To include the northern tree belt as part of a public realm area would require a redesign of the layout which would likely result in rear garden areas in prominent streetscene locations, reducing the extent of active frontage. In considering the balance it is felt that, in this instance the benefit of a holistic development with active street frontages is more of a benefit with this scheme.

### **5.2 Shop units**

A number of objections are made relating to the commercial units proposed. The preferences for occupiers and uses for these areas are noted. The units are proposed as flexible units which means they can be occupied by a variety of uses, including convenience retail and medical uses. Occupancy will be dictated by the market which means that the Council is not able to insist on a specific occupier however the scheme will provide the floorspace if the interest is there. There is considered to be sufficient parking for the units including staff although it is fair to consider employment can be found locally removing the need for staff to use a car.

### **5.3 Internal Drainage Board.**

The IDB have objected as part of the landscaping at the eastern part of the site proposed planting and footpaths within the 7 metre buffer they require to be left unaffected for maintenance purposes. This is the case however it is not considered to be a significant issue as the extent of landscape in this area is such that the scheme can be revised to retain this buffer and realign the footway and planting as necessary. Such works can be covered by condition.

### **5.4 Conditions**

Outline planning permission for this development site was granted subject to a number of conditions. These conditions cover the following areas:

- Implementation time limits
- Environmental Construction Management Plan
- Levels
- Landscape implementation
- Surface water drainage
- Foul water strategy
- Sustainable construction
- Contamination
- Plant and machinery

- Bat and Bird boxes
- Travel Plan
- Noise
- Commercial operating hours
- S106 Agreement
- Access construction
- Use of commercial units.

It is not necessary or reasonable to repeat conditions that are already included on an outline consent. Conditions on reserved matters need to explicitly relate to the details of that specific application.

- External materials will need approval and therefore a condition requiring details will be needed.
- The annexe buildings will need to be conditioned to remain ancillary to the dwellings they relate to with permitted development rights removed to insert any further windows.
- Permitted development rights to insert windows will need to be removed for Plots 12 and 33.
- A condition will be required for the approval of a scheme of hard landscaping aimed at achieving appropriate measures to reduce the ability to park on street at the area of the commercial units without harming the character of the development.

#### 5.5 Human Rights

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

#### **Recommendation:**

That Reserved Matters consent be granted subject to the following:

#### **RECOMMENDED CONDITIONS / REASONS**

- 1 No development shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

**Reason: To control the appearance of the building in the interests of the visual amenities of the locality. This is a pre-commencement condition as material details need to be agreed prior to start of development.  
(Section 7, NPPF)**

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, including dormer windows and rooflights shall be inserted into the northern (rear) elevation of Plot 12 or the western (rear) elevation of Plot 33 of the development hereby approved, without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect the privacy of neighbouring residents.  
(Section 7, NPPF)

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garages with habitable accommodation above at plots 58, 59, 60, 65, 72, 73, 75, 91, 92, 93 and 99 hereby permitted shall only be used ancillary to the dwellings to which they relate as shown on the approved plans.

Reason: To prevent the establishment of an independent unit on the site in the interests of highway safety and convenience and neighbouring residential amenity.  
(DM3 CSDMP)

- 4 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a scheme of hard and/or soft landscaping at the western part of the site to provide purposely designed measures aimed to address the issue of on street parking of visitors to the commercial unit(s) hereby approved. The works shall then be carried out in accordance with the approved details and be in place prior to the first commercial unit coming into operation.**

**Reason: To ensure the operation of the commercial unit(s) hereby approved will not adversely affect highway safety and convenience.  
(DM3 CSDMP)**

- 5 **Notwithstanding the details in the approved plans, no development shall take place until details have been submitted to and approved in writing by the Local Planning Authority of a revised landscaping scheme for the eastern part of the site which shows a proposed footpath, planting and drainage scheme that is located outside of the Internal Drainage Board's 7 metre byelaw strip taken from the near edge of Pix Brook. The works shall then be carried out in accordance with the approved details and in accordance with a timetable for delivery submitted for approval as part of these details.**

**Reason: To ensure the development does not inhibit the maintenance of Pix Brook as required by the Internal Drainage board in the interests of drainage in the area.  
(DM3 CSDMP)**

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17755/1003F, 17755/1006D, 17755/1007C, 17755/1009, 17755/1010A, 17755/1018B, 'energetics' Substation Plan Rev B, 38149/C/110, 17755/120, 17755/121, 17755/122, 17755/123A, 17755/124, 17755/125, 17755/126, 17755/127, 17755/128A, 17755/129, 17755/130A, 17755/131, 17755/132A, 17755/133A, 17755/134a, 17755/135, 17755/136, 17755/137, 17755/138B, 17755/139, 17755/140, 17755/141C, 17755/142C, 17755/143, 17755/144, 17755/145, 17755/146A, 17755/147A, 17755/148, 17755/149, 17755/150, 17755/152A, 17755/153, 17755/154B, 17755/155, 17755/156, 17755/157, 17755/158C, 17755/159, 17755/160A, 17755/161, 17755/163, 401B, 402B, 403B, 404B, 405B, 406B, 407C, 408.

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

### **INFORMATIVE NOTES TO APPLICANT**

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.
2. Applicant is advised to note that the location of the construction compound is not approved as part of this permission and is required to be approved by condition on the outline consent. An appropriate location for such a compound would be away from existing residential properties so as to minimise any impact on amenity.

### **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 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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