

Item No. 11

APPLICATION NUMBER	CB/17/02512/OUT
LOCATION	Land South of the bungalow, Bedford Road, Houghton Regis, Dunstable, LU5 6JS
PROPOSAL	Outline Application: Residential development of up to 1.03ha of the site with formation of two accesses, sustainable urban drainage and associated landscaping
PARISH	Houghton Regis
WARD	Houghton Hall
WARD COUNCILLORS	Cllrs Mrs Goodchild & Kane
CASE OFFICER	Alex Harrison
DATE REGISTERED	03 July 2017
EXPIRY DATE	02 October 2017
APPLICANT	Haut Limited
AGENT	Optimis Consulting
REASON FOR COMMITTEE TO DETERMINE	Town Council objection to a major application Departure from the Development Plan
RECOMMENDED DECISION	Outline Application - Recommended for Approval

Reason for recommendation

The application site lies within Green Belt land and the provision of housing is regarded as inappropriate in the eyes of the National Planning Policy Framework (NPPF). However in this instance very special circumstances can be demonstrated that mean this form of inappropriate Green Belt development does not harm the character or purposes of the Green Belt. The application has been amended to propose a suitable development which ensures the provision of acceptable green infrastructure in which is a principal goal of the Houghton Regis Development framework. The existing right of way will be safeguarded and enhanced and the green infrastructure proposals can be considered a significant benefit to the development. The provision of significant green infrastructure means development of this site would not harm the character of Bidwell hamlet which is important as it is necessary to reflect the rural identity of this area. Development of this site coupled with the infrastructure provision proposed and secured through S106 agreement make this an acceptable scheme in planning terms.

Site Location:

The application site is an undeveloped 1.5ha field located in the open countryside north of Houghton Regis. It sits within the hamlet of Bidwell which is a scattering of homes primarily accessed from Bedford Road.

The site is located within the Green Belt and has a public right of way, FP11, running through it from east to west but this is physically blocked and the site is inaccessible aside from a field gate to the southeastern corner.

A different footpath, FP53, runs adjacent to the southern boundary of the site.

The Application:

Outline planning permission is sought to develop the site for residential purposes including the formation of two vehicular accesses onto Bedford Road. No quantum of residential units has been proposed under the application. An area of 1.03ha is shown for development.

The scheme has been amended twice since its original submission following concerns raised in relation to the scale of development, provision of green infrastructure and the effect on the route of the public footpath.

The scheme for determination shows an illustrative masterplan which indicates a development of 35 dwellings. The site is served by a principal access from Bedford Road with a secondary access also proposed serving 4 homes separately. The route of the existing public right of way is retained and is subject to an enhancement scheme also forming part of an area of public open space. The layout also shows the provision of a footway along Bedford Road and screen planting to the boundaries of the site. The existing hedgerow to Bedford Road is to be retained as much as possible although it is acknowledged that some removal would be required to create the accesses.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Section 4: Promoting sustainable transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 8: Promoting healthy communities
Section 9: Protecting Green Belt land
Section 11: Conserving and enhancing the natural environment

South Bedfordshire Local Plan Review

Policy SD1 Sustainability Key Note Policy

Policy GB3 Green Belt Villages

Policy BE8 Design Considerations

Policy E2 Control of Development on Employment Land outside Main Employment Areas

Policy T10 Controlling Parking in New Developments

Policy H4 Providing Affordable Housing

Policy H3 Meeting Local Housing Needs

The NPPF advises of the weight to be attached to existing local plans for plans adopted prior to the 2004 Planning and Compulsory Purchase Act, as in the case of the South Bedfordshire Local Plan Review, due weight can be given to relevant policies in existing plans according to their degree of consistency with the framework. It is considered that Policies SD1, GB3, E2, BE8 and H3 are broadly consistent with the Framework and carry significant weight. Policies T10 and H4 carry less weight but are considered relevant to this proposal

Local Plan

The Council is currently consulting on its Draft Local Plan (Regulation 19). 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.

Supplementary Planning Guidance/Other Documents

Houghton Regis North Development Framework (October 2012)

Central Bedfordshire Design Guide (March 2014)

Affordable Housing Guidance Note (Endorsed 5th April 2016)

Sustainable Drainage Guidance (May 2015)

Relevant Planning History:

None at this site.

Consultees:

Houghton Regis Town Council Object to the application, including the amendments, on the following grounds:

- Density is too high;
- Parking provision is insufficient;
- Ratio of affordable housing needs to be higher;
- The indicative plan shows affordable housing clumped together at the front of the site with its own access point, therefore the design is not inclusive. HRTC would like to see a more suitable distribution of affordable housing throughout the site;
- No pre application advice has been sought.
- It appears that desktop studies have been poached from HRN2 and not provided as independent studies;
- There needs to be an investigation to confirm whether there is any contamination of the land from outflow from Blue Waters;
- The application provides that the site will utilise the adjacent developments pumping station. It is queried whether this has sufficient capacity. It is suggested that it may be more suitable to seek to use the HRN2 pumping station provision.
- That there were no exceptional circumstances demonstrated to allow for the loss of Green Belt land.
- The land should remain as is to allow for some

form of green lung/corridor separating both adjacent developments.

Highways		Raised no objections to the access proposal subject to conditions. Comments made in relation to detailed layout but it was acknowledged that it is a reserved matter.
SUDs Team	Management	Raised no objections subject to conditions.
Internal Drainage Board		Had no comments to make.
Pollution Team		Raised no objections subject to conditions relating to noise impact and an informative relating to contaminated land.
Housing Officer	Development	Noted that the amount of affordable housing proposed is not stated and that a provision of 30% is expected.
Tree Officer		Originally raised concerns over proposals to remove existing hedgerow adjacent to Bedford Road and the location of dwellings to the northern boundary making screen planting difficult.
Waste Services		Raised no objections and provided waste collection details.
Archaeology		Raised no objection subject to the applicant confirming that the trial trench evaluation for the site as set out in the supporting information has been commissioned and the timetable for the works.
Ecology		Raised no objections to the amended scheme for determination subject to a condition relating to mitigation and enhancement proposals. Stressed the importance for boundary treatments to be retained and enhanced.
Landscape		Raised no objections adding the following points: <ul style="list-style-type: none">• Location of the pumping station is unfortunate• Opportunities for meadow/wild flower planting in the open space.• Hedgerow removal should be kept to a minimum.
Sustainable Growth		Raised no objections subject to conditions relating to energy efficiency.
Public Art		Raised no objections subject to a condition.
Green Infrastructure		Previously raised concerns over an initial proposal for the footpath realignment and its relationship with a proposed SUDs basin.

Rights Of Way Officer	Originally raised concerns over the initial proposal to re-route the footpath. Raised no objections subject to conditions on the plans for consideration.
Chilterns Society	Object to the application on the grounds of reduction of green space in what will be a built up area. Originally objected to the proposed re-route of the public footpath. Notes the amended scheme leaves the footpath on its current line and meets the Society's aim to provide a pleasant and convenient route from Bedford Road to the west.

Other Representations:

Neighbours	2 letters received raising the following objection. <ul style="list-style-type: none"> • Application fails to acknowledge the Right of Way through the site and this should be shown on the scheme.
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Determining Issues:

The main considerations of the application are;

1. Principle and The Green Belt
2. Affect on the Character and Appearance of the Area
3. The Historic Environment
4. Neighbouring Amenity
5. Highway Considerations
6. Whether the proposal is sustainable development

Considerations

1. Principle of development and The Green Belt

- 1.1 Policy GB1 of the South Bedfordshire Local Plan Review which provided the principle criteria for assessing new developments in the Green Belt was deleted and in effect has been replaced by national guidance now contained in the National Planning Policy Framework (NPPF). This national advice states that the construction of new buildings is inappropriate in the Green Belt. Exceptions to this are listed in paragraphs 89 and 90 of the NPPF. If the development is considered inappropriate, paragraph 87 of the NPPF states that it is, by definition harmful to the Green Belt and should only be approved in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations (paragraph 88). In accordance with these paragraphs the development is considered to be inappropriate.
- 1.2 The site lies within the red line area of Houghton Regis North Development Framework. The purpose of the Framework Plan is to provide broad structure of the essential supporting elements of the proposed strategic allocation. The Framework Diagram indicates that the site lies outside of the areas shown for development, as is the hamlet of Bidwell in its entirety. The site is therefore not identified for development in the Framework Plan.

- 1.3 As the site is located in the Green Belt, 'very special circumstances' (VSCs) need to be demonstrated in accordance with the NPPF, para 88. This paragraph requires substantial weight to be given to any harm to the Green Belt. VSCs will not exist unless the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations. The planning application was accompanied by a statement aiming to demonstrate VSCs.
- 1.4 The countryside around the site has already been encroached upon and the built up area will surround this site. Therefore the site does not fulfil its Green Belt functions.
- 1.5 The principle of development can therefore be considered. The Council considers the development of land in and around Bidwell needs to be done in a coordinated manner to ensure the comprehensive development of the area as a whole and in the interests of protecting the character of the hamlet where possible. While not identified in the framework as an area to be built on the development of this site and any other in Bidwell would be expected to adhere to the framework plan within which it sits including the provision of significant and well planned green infrastructure and connectivity. These impacts are considered as part of the merits of the case further in this report and the report shows that there would be some harm through the loss of open countryside as a result of this proposal.
- 1.6 The applicant has offered the following points to demonstrate VSCs:
 1. The site is part of a wider allocation
 2. The site has been promoted in emerging development plans for a number of years.
 3. Ecological benefits
 4. The scheme includes sustainable urban drainage features.
 5. Provision of affordable housing.
 6. The site is a sustainable location.
 7. The site is surrounded by land that has outline planning permission for over 7200 dwellings and therefore development does not amount to further encroachment or coalescence. There is no special character to the site.
- 1.7 A number of these points do not amount to VSCs. As per para 1.2 the site lies within the framework area but is not 'allocated' as a development site. The provision of biodiversity gains, sustainable drainage and affordable housing are policy requirements necessary to make a scheme acceptable in planning terms and do not constitute VSCs either individually or taken together. The fact that a site is close to services and is considered sustainable is the same for any Green Belt site adjacent or close to an existing settlement and does not constitute VSCs given that a role of Green Belt is to stop countryside encroachment. It is therefore considered that points 1 and 3-6 inclusive do not constitute VSCs individually or collectively.
- 1.6 Point 7 is considered differently. It is correct that the site is closely related to consented development which includes areas of strategic housing growth. To the immediate south is a recently completed scheme on land previously associated with the Old Red Lion public house. Southeast is a Taylor Wimpey Development currently under construction and to the north and west is that area

known as Bidwell West which has outline planning permission to provide, among other things, up to 1850 new dwellings. There is undeveloped land in the area of the Bidwell hamlet but the Bidwell West approval runs north and west of the appeal site up to the A5-M1 link road. Its relationship with surrounding sites means declassification of the site from Green Belt is more likely than if the aforementioned development was not apparent. The previous promotion of the site through the plan process would contribute towards this also (point 2).

- 1.7 Paragraph 80 of the NPPF details the 5 purposes of the Green Belt. These include purposes to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment. The consented developments adjacent to and around the application site are such that, if this site were to be developed, even though it is Green Belt land it would not cause harm against these two purposes. The other three purposes relate to preventing the merging of neighbouring towns, preserving the setting and character of historic towns and assisting urban regeneration which are not applicable here. As a result the principle of development can be considered acceptable.

2. Affect on the Character and Appearance of the Area

- 2.1 The wider character of the area is undergoing significant change that will continue for a number of years to come. Bidwell is excluded as a development area of the Framework in the interests of its character as a hamlet. It is considered that Bidwell's character needs to be retained within the larger development of Houghton Regis North. Piecemeal development outside of the Framework Plan area would potentially erode the character of Bidwell. It is the Council's view that development of the land in the Bidwell area should be done in a joined up and holistic manner to avoid the piecemeal erosion and to secure the best development possible in the interests of the character of Bidwell.
- 2.2 This proposal is not part of a joined up approach however the application is required to be determined on its individual merits. As stated earlier the scheme has been amended twice. The scale of built development has been reduced and a greater area of open space proposed. The open space was initially located to the western end of the site, constituting the SUDs basin and footpath link and the proposal for determination has placed a far greater emphasis on the provision of green infrastructure, with a larger open space incorporating play areas, sustainable drainage, a right of way enhancement and path links to the south. This also provides opportunities for biodiversity gains. The open space provision when considered in the context of the right of way FP53 running south of the application site and the open space from the Old Red Lion development provides a significant corridor of Green Infrastructure which is reflective of the goals of the Framework. This can therefore be considered a significant benefit to the development.
- 2.3 The illustrative layout shows that the majority of the existing established hedgerow on the eastern boundary will be retained as part of the scheme, this hedgerow is characteristic of the Bedford road streetscene and is considered positive. Furthermore the plan shows strong landscaping screens to the other boundaries which would be achieved through both retention of existing planting and provision of new species. Development would provide a soft edge at the boundaries which is appropriate for a rural character. This would be sought to be secured through reserved matters and an acceptable scheme would retain much

of this within the public realm to better safeguard its long term vitality.

- 2.4 With regards to the residential scheme, detailed design considerations will be left for any subsequent reserved matters layout. A revised indicative layout was submitted which shows the development providing a mix of dwelling types within the site. Little weight is given to this layout with this outline application but it does indicate that the site could accommodate the quantum of development proposed along with robust landscaping. The layout suggests a quantum of 35 dwellings can be accommodated and it is acknowledged that garden sizes may not be adequate in some instances. It would be necessary to limit the number of dwellings to a maximum and the 35 units as shown is considered to be an appropriate density of development for this site given the extent of open space proposed and rural character of this area. Any reserved matters proposed would expect to provide a high quality development that is designed in accordance with the Council's adopted design guide and this would likely affect the indicative layout as garden and parking standards are taken account of.

3. Neighbouring Amenity

- 3.1 Detailed design considerations are a reserved matter and this makes it difficult to ascertain specific impacts on neighbouring properties. It is considered that any subsequent reserved matters application could provide a scheme that takes account of neighbouring properties to ensure there would be no harmful impact to existing residents.
- 3.2 The location of the site and the indicative layout show that a proposal could be designed that does not harm the amenity of neighbouring residents. The closest adjacent dwelling would be immediately north and the layout shows dwellings close to this to be side on which should not have a harmful impact in principle. The Council would ensure that there would be no harmful amenity impacts to neighbours. On this basis it is considered that the site can be developed without adversely affecting the amenity of existing residents.
- 3.3 In terms of providing a suitable level of amenity for potential occupiers, any detailed scheme would be expected to be designed in accordance with the Council's adopted Design Guide and this guide includes recommendations to ensure suitable amenity levels are provided. Therefore it is considered that the adopted policy can ensure that a suitable level of amenity could be provided for new residents.
- 3.4 As a result of the above consideration the proposal is considered to not have an adverse amenity impact that would justify a reason to refuse planning permission.

4. Highway Considerations

- 4.1 No objection has been raised by the Highways Officer to the scheme. Comments were made over the internal layout and widths of roads but it is acknowledged that this is an issue to be addressed at reserved matters stage. The proposal for two accesses points onto Bedford Road is considered to be acceptable from a technical perspective and the existing highway network is considered to be able to accommodate the capacity generated from this scheme in principle. Additional traffic will place demands on the road infrastructure in the area and a financial contribution will be sought towards highway improvements as a result.

- 4.2 The application includes the provision of a footway along the Bedford Road frontage. Such provision has been secured at other developments on this road and is considered to be required to provide foot and cycle links to Houghton Regis. This is therefore considered acceptable in principle and will be secured through the S106 agreement.
- 4.3 In terms of parking the residential scheme will be required to meet the Design Guide parking standards for both residents and visitors but this is a design detail that would be considered at reserved matters stage. The indicative layout indicates that suitable parking arrangements can be achieved.
- 4.4 As a result there are no objections on the grounds of highway safety and convenience.

5. Other issues

5.1 Drainage

In terms of drainage, if a scheme were considered acceptable in principle it would be subject to ensuring details of suitable drainage systems are proposed and in place to accommodate drainage impacts. The application included details of sustainable urban drainage details and there are no objections to this in principle. It is necessary to condition the approval of drainage details on the outline consent to ensure the specifics of a scheme are acceptable in accordance with the Council's adopted Sustainable Drainage SPD and to ensure appropriate management and maintenance is secured. In terms of sewerage Anglian Water have raised no objections, going so far to say that the system will be able to accommodate the development.

5.2 S106 agreement

Spending Officers were consulted and the following contributions are requested and shall form heads of terms for the legal agreement that would be required if Members resolve to grant consent.

Education

Financial contributions sought for all tiers calculated via formulae dependent on the final number of dwellings proposed.

Community Uses

Financial contribution sought via formula dependent on the final number of dwellings proposed. Monies would be used towards identified projects for Bedford Sq Community Centre, Memorial Hall, Tithe Farm Pavilion and the new Houghton Hall Park.

Highways

Provision of footway/cycleway along Bedford Road.

Financial contribution towards highway improvement of roads in the HRN2 area and Woodside Link.

Affordable housing

Secure 30% policy compliant affordable housing.

These contributions are considered to be reasonable and necessary to make the scheme acceptable in planning terms. Members will be updated via the late sheet if any further contributions are sought.

6. Whether the scheme amounts to sustainable development

6.1 At the time of writing the Council considers that it can comfortably demonstrate such a supply of 5.94 years. This position has been held up at two recent appeals. Paragraph 14 of the NPPF still applies and states that the presumption in favour of sustainable development is at the heart of the NPPF, for decision-making this means:

- *approving development proposals that accord with the development plan without delay*

Paragraph 7 of the NPPF sets out the three dimensions to sustainable development; economic, social and environmental.

6.2 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside however as discussed this is not a negative impact given the consented development in the area. The development provides significant environmental benefits through right of way enhancement and green infrastructure. It is considered to be acceptable in light of the environmental strand. The originally proposed extent of green infrastructure was not acceptable and the reduction in development area to provide these environmental benefits is given significant weight when considering the merits of this case. The Council's position is clear that development in the Bidwell area must deliver significant benefits that ensure development respects the existing character of the area and enhances where possible.

6.3 Social

The provision of housing, including affordable housing, is a benefit to the scheme which should be given some weight although it is noted that it is a policy requirement to provide the level of affordable housing proposed.

Subject to the applicant agreeing a S106 agreement with the Council for infrastructure contributions/obligations the application is considered acceptable in light of the social strand.

6.4 Economic

The economic benefits of construction employment are noted although no proposal specific benefits are apparent that would not be pertinent for any application for residential development on any scale in the village.

6.5 The amended proposal is therefore considered to amount to sustainable development.

Recommendation:

That Outline Planning Permission be granted subject to the completion of a S106 agreement and the following:

RECOMMENDED CONDITIONS / REASONS

- 1 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Details of the layout, scale, appearance and landscaping, including boundary treatments (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To comply with Article 3 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

- 3 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 Any subsequent applications for reserved matters shall include details of the existing and final ground, ridge and slab levels of the development hereby approved. Such details shall include sections through both the site and the adjoining properties. Thereafter the site shall be developed in accordance with the approved details.

Reason: To ensure that an acceptable relationship results between the new development and adjacent buildings and public areas in accordance with policy Policy BE8 of the South Bedfordshire Local Plan Review.

- 5 Prior to first occupation of the development hereby approved, details of hard and soft landscaping (including details of robust planting schemes at the southern and northern boundaries, boundary treatments and public amenity open space, Local Equipped Areas of Play and Local Areas of Play) together with a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and in accordance with the approved timetable.

Reason: To ensure that the appearance of the development would be acceptable in accordance with
Policy BE8 of the South Bedfordshire Local Plan Review.

- 6 Prior to first occupation of the development hereby approved, a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 5 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the management body, who will be responsible for delivering the approved landscape maintenance and management plan. The landscaping shall be maintained and managed in accordance with the approved plan following its delivery in accordance with Condition 5.

Reason: To ensure that the appearance of the site would be acceptable in accordance with Policy DM3 of the Core Strategy and Development

- 7 Any subsequent reserved matters application shall include the following;
- Estate roads designed and constructed to a standard appropriate for adoption as public highway.
 - The provision of a footway on the west side of Bedford Road along the entire highway frontage of the site.
 - Vehicle parking and garaging in accordance with the councils standards applicable at the time of submission.
 - Cycle parking and storage in accordance with the councils standards applicable at the time of submission.

The works shall then be carried out in accordance with the approved details.

Reason: To ensure that the development of the site is completed to provide adequate and appropriate highway arrangements at all times. Policy BE8 of the South Bedfordshire Local Plan Review.

- 8 **No development shall take place until an ecological design strategy (EDS) addressing mitigation and enhancement, as detailed in Part 5 of the May 2017 Preliminary Ecological Appraisal, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.**

- a) **Purpose and conservation objectives for the proposed works.**
- b) **Review of site potential and constraints, including a badger survey 6 weeks prior to site clearance.**
- c) **Detailed design(s) and/or working method(s) to achieve stated objectives.**
- d) **Extent and location/area of proposed works on appropriate scale maps and plans.**
- e) **Type and source of materials to be used where appropriate, e.g. native species of local provenance.**
- f) **Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.**
- g) **Persons responsible for implementing the works.**
- h) **Details of initial aftercare and long-term maintenance.**
- i) **Details for monitoring and remedial measures.**
- j) **Details for disposal of any wastes arising from works.**

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: to ensure development provides a net gain in biodiversity and the developmet provides acceptable mitigation and enhancement scheme in the interests of Section 7 of the NPPF.

- 9 The details required by Condition 2 of this permission shall include a scheme of measures to mitigate the impacts of climate change and deliver sustainable and resource efficient development including opportunities to meet higher water efficiency standards and building design, layout and orientation, natural features and landscaping to maximise natural ventilation, cooling and solar gain. The scheme shall then be carried out in full in

accordance with the approved scheme.

Reason: To ensure the development is resilient and adaptable to the impacts arising from climate change in accordance with the NPPF.

- 10 Any subsequent application for reserved matters shall include a scheme for protecting the proposed dwellings from road and commercial noise sources. No development shall commence until such has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To protect the amenity of future residential occupiers from the impacts of noise arising from road traffic in the interests of Section 7 of the NPPF.

- 11 **No development shall take place until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (May 2017), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of attenuation for the 1 in 100 year event (+40% allowance for climate change) and a restriction in run-off rates to that outlined by the IDB. Any revisions to the agreed strategy shall be fully justified and approved before the development is completed and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan. Details of how the system will be constructed including any phasing of the scheme, and how it will be managed and maintained after completion will also be included. 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.

- 12 No building/dwelling hereby approved shall be occupied until the developer has formally submitted in writing to the Local Planning Authority a finalised 'Maintenance and Management Plan' for the entire surface water drainage system, inclusive of any adoption arrangements and/or private ownership or responsibilities, and that the approved surface water drainage scheme has been correctly and fully installed as per the final approved details.

Reason: To ensure that the implementation and long term operation of a sustainable drainage system (SuDS) is in line with what has been approved, in accordance with Written Statement HCWS161.

- 13 **No development shall take place until a scheme for the provision of public footpath no. 11 has been submitted to and approved in writing by Central Bedfordshire Council to include:**

- the design of access and public footpath no.11 (to include landscaping, width and surfacing)
- proposals for the diversion of public footpath no. 11 and other public rights of way (where necessary)
- the temporary closure and alternative route provision (where necessary) of public footpath no. 11 or another existing public right of way to allow construction, tree root protection fencing or any other advance works.

The public rights of way scheme submitted should be in accordance with the Council's approved Rights of Way Standards and Guidance.

Reasons: In the interests of the amenity of pedestrians and other non motorised users to ensure safety of users is not compromised by the traffic associated with the development in the interests of Section 7 of the NPPF

14 There shall be no more than 36 residential units at the site.

Reason: To ensure that the site is not overdeveloped in the interests of Section 7 of the NPPF.

15 **No development shall take place until an Environmental Construction Management Plan detailing access arrangements including hours of construction vehicles, on-site parking, loading and unloading areas, materials storage areas and dust management shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Environmental Construction Management Plan.**

Reason: In the interest of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Policy BE8 of the South Bedfordshire Local Plan Review

16 **Notwithstanding the details in the approved plans, any subsequent reserved matters application shall include an Arboricultural Method Statement which details the retained parts of existing boundary hedgerows and trees at the site and details how these are to be protected during construction and shall also detail methodology for protection of existing trees adjacent to the site during construction. The works shall then be carried out in accordance with the approved details.**

Reason: To ensure the retention of existing landscape features in the interests of establishing a rural character to this edge of settlement location in the interests of Section 7 of the NPPF.

17 Prior to the occupation of any dwelling on the site, a scheme for the provision of waste receptacles for each dwelling shall be submitted to and agreed in writing by the Local Planning Authority. The receptacles shall be provided before occupation takes place.

Reason: In the interest of residential amenity and to reduce waste

generation in accordance with the Councils's Minerals and Waste Local Plan 2014, Policy WSP5 and the adopted SPD "Managing Waste in New Developments" (2006).

- 18 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CSA/3237/103, CSA/3237/101 E, CSA/3237/102 D, BE5191M-001 A and BE5191M-003.

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. The applicant is advised that while the Council has no reason to believe this site is contaminated, and is not aware of any potentially contaminative past use on site, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.
3. The applicant is advised to ensure that the definitive legal line of any public right of way is mapped at the earliest opportunity and that no development should take place on or near a public right of way unless the necessary statutory legal process (where necessary) has been completed in accordance with:-
 1. An order made, confirmed and certified under the provisions of Section 257 of the Town and Country Planning Act 1990
 2. An order made, confirmed and certified under the provisions of the Highways Act 1980
 3. An order made under any other relevant legislation concerning the modification, creation, diversion or extinguishment of a right of way.

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

