

Item No. 7

APPLICATION NUMBER	CB/17/04583/OUT
LOCATION	Land adj 129A and 131 Clophill Road, Maulden, MK45 2AE
PROPOSAL	Outline: Erection of 25 dwellings with roads and sewers
PARISH	Maulden
WARD	Amphill
WARD COUNCILLORS	Cllrs Duckett, Blair & Downing
CASE OFFICER	Matthew Heron
DATE REGISTERED	24 September 2017
EXPIRY DATE	25 December 2017
APPLICANT	Messrs D, M, S & Miss L Humphries
AGENT	J & J Design
REASON FOR COMMITTEE TO DETERMINE	Objection from Maulden Parish Council to a major development
RECOMMENDED DECISION	Outline application – Recommend approval subject to completion of legal agreement

Summary of Recommendation

The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

In the overall balancing exercise required, the identified harm and conflict with the Development Plan would be significantly out-weighted by the benefits of this scheme, particularly when assessed against the National Planning Policy Framework as a whole.

Site Location:

The application site is located towards the western side of Clophill and is approximately 2km to the east of Maulden. The site itself is rectangular piece of predominately open agricultural land.

To the north of the site is Maulden Wood, a Site of Special Scientific Interest (SSSI) for acidic grassland and heathland interest and as a large part remains ancient woodland. To the east, there is a residential dwellinghouse and beyond this is open agricultural land. To the west is residential built form.

The Application:

This application seeks outline planning permission, with all matters except access reserved, for the construction of 25 residential units.

RELEVANT POLICIES:

National Planning Policy Framework (March 2012)

Core Strategy and Development Management Policies - North 2009

Policy CS1 – Development Strategy

Policy CS2 – Developer Contributions

Policy CS7 – Affordable Housing

Policy CS13 – Climate Change

Policy CS14 – High Quality Development

Policy CS16 – Landscape and Woodland

Policy CS18 – Biodiversity and Geological Conservation

Policy DM2 – Sustainable Construction of New Buildings

Policy DM3 – High Quality development

Policy DM4 – Development Within and Beyond Settlement Envelopes

Policy DM10 – Housing Mix

Policy DM14 – Landscape and Woodland

Policy DM15 – Biodiversity

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached pre-submission stage. The consultation ran between 11 January and 22 February 2018. The comments will now be forwarded to the independent planning inspector alongside the Local Plan when the Plan is submitted to the Secretary of State.

The National Planning Policy Framework (paragraph 216) stipulates that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans unless material considerations indicate otherwise.

The apportionment of this weight is subject to:

1. the stage of preparation of the emerging plan;
2. the extent to which there are unresolved objections to relevant policies;
3. the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

In summary it is therefore considered that reference should be made to the emerging plan but limited weight should be applied to the Central Bedfordshire Pre-Submission Local Plan taking into account its stage of preparation, the level of consistency with the Framework and acknowledging that the draft site allocations have now been subject to statutory public consultation.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

CB/17/00981/OUT – Land north of Clophill Road. Outline: Erection of 21 dwellings with estate road. Granted by Development Management Committee in January 2018. Awaiting completion of legal agreement prior to issuing decision.

Consultees:

Maulden Parish Council

Initial Comments

Maulden Parish Council strongly object on following basis:

- *Outside Maulden Settlement Envelope*
- *Erosion of rural transition between two parts of village causing significant harm to the village character*
- *Loss of green space*
- *Impact on infrastructure of this part of Maulden Parish.*
- *Traffic generation onto already busy A6 and A507 junctions*
- *Loss of privacy for 129d Clophill Road.*

Also it should be noted that Planning Application CB/17/00981/OUT for 21 dwellings on the site next to the above site is still waiting decision and the cumulative effect of the two applications should be considered. Maulden Parish Council strongly object to both applications for common valid material considerations and so would request rejection of both applications.

Additional Comments

This amended layout proposing a minimum of 20M buffer zone with Maulden Wood and a new hedgerow and tree planting on the western boundary has not changed our previous objections.

Maulden Parish Council re-confirms our previous objection plus additional comments as follows

- Outside the Maulden Settlement Envelope and is within open countryside. The proposal, for residential units outside of the settlement boundary therefore conflicts with the current strategy of CBC (denoted by policies CS1 and DM4).

- Significant harm to the landscape character. The loss of open views to Maulden Woods together with the loss of agricultural land will cause harm the visual amenity of the village. This is particularly relevant now that the land next to it has been given outline approval.(CB/17/00981/OUT refers).

- Erosion of rural transition between two parts of village. The site is one of two remaining sites to the north of Clophill Road which provide open views to Maulden Woods within Hall End part of Maulden. Development has already been approved on the land to the east of this site so development on this site would result in total loss of direct views up to Maulden Woods at this location.

- Highway safety and traffic generation – with the development of the land to the east for 21 dwellings this will create two entrance and exit close to together onto Clophill Road. With the addition of a further 25 dwellings this will cause an unacceptable increase in traffic entering the A507 by-pass from Maulden on to the A6 roundabout or through Hall End, Maulden onto the A6.

- Site is not sustainable due to lack of facilities in Maulden and Clophill. The site is of such a distance from schools, shops, etc to require the use of cars so increasing significantly the traffic passing through Maulden and onto the already busy A6 and A507 junctions. In addition with the approval for 21 dwellings on the site next to this site the cumulative effect of the two applications on the infrastructure of both Maulden and Clophill should be considered.

- Buffer zone to Maulden Wood inadequate. Minimum 50M required in line with conditioning request from CBC Development Management Committee regarding CB/17/00981/OUT and as shown on illustrative plans associated with the Local Plan. The new Local Plan will shortly be submitted for inspection and therefore carries some weight in regard to this application having completed regulation 19 consultation.

Highways Team

On behalf of the highway authority I make the following comments based upon indicative drg CSA/2579/104 Illustrative Masterplan, Site Access plan un-numbered and updated Transport Statement (TS) dated February 2018.

The junction layout now has a 5.5m road with 2m wide footpaths on both sides and junction radii onto Clophill Road of 6m and is acceptable. A condition is required to provide drop crossing points to the footway on the opposite side of the road by the proposed access and to the eastern bus stop as the verge is not wide enough to provide a 2m wide footway along the entire length of the highway verge due to a ditch which does not take highway surface water.

With regards to the indicative site plan it should be noted that 2m wide footways (or 2m service margins in the shared surface area) would still be required on both sides of the estate road. The initial comments therefore remain which were

Designed for a maximum vehicle speed of 20mph. For the avoidance of doubt the 2m wide footways or service margins are to be provided in full around turning heads as well.

In terms of car parking this would be in accordance with the Design Guide 2014 which is

*1 space per 1 bedroom dwelling
2 spaces per 2/3 bedroom dwelling
3 spaces per 4+ bedroom dwelling*

0.25 spaces per dwelling for visitor parking which should be in the form of inset parking bays. Visitor bays are to be dispersed evenly through the development.

*Parking spaces should measure 2.5m x 5.0m each (6m in front of a garage door or where access to cycle parking is required) with a single garage 7.0m x 3.3m internal dimensions, double garages 7.0 x 5.8m internal dimensions. Tandem spaces should be **no more than two vehicles**, inclusive of a vehicle in a garage. Further details can be found in the Councils Design Guide 2014.*

Covered/secure cycle parking should accord with the 2010 cycle parking standards.

Pedestrian visibility splays will be required at either side of the access/drives within the site and driver/driver intervisibility will be required within the site and at any bends in the proposed access.

The turning head area's should be large enough to accommodate the swept path of the Councils 11.5m long Refuse Collection Vehicle (RCV) has been tracking is to be provided to ensure such manoeuvres can be performed without hindrance.

Revised plans are required to show a 5.5m wide carriageway, 6m junction radii and 2m wide footways leading into the development before the application can be considered acceptable in highways terms.

Conditions

1/No building shall be occupied until the junction of the proposed vehicular access (altered roundabout) with the highway has been constructed in accordance with the approved details.

Reason

In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

2/Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason

To provide adequate visibility between the existing highway and the proposed access(es), and to make the access(es) safe and convenient for the traffic which is likely to use it (them).

3/Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along

the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason

To provide adequate visibility at road junction in the interest of road safety.

4/The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason

In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

5/The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head area's for an 11.5m refuse collection vehicle.

Reason

To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

6/The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason

To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

7/No dwelling shall be occupied until dropped crossing points to both bus stops on Clophill Road in the near vicinity of the development entrance have been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be resited to provide an unobstructed footway to the crossing.

Reason

In the interests of road safety and pedestrian movement.

Furthermore, I should be grateful if you would arrange for the following Notes to the applicant to be appended to any Consent issued by the council.

1/ The applicant is advised that no works associated with the construction of the vehicular access should be carried out within the confines of the public highway without prior consent, in writing, of the Central Bedfordshire Council. Upon receipt of this Notice of Planning Approval, the applicant is advised to contact Central Bedfordshire Council's Highway Help Desk, Tel: 0300 300 8049 quoting the Planning Application number. This will enable the necessary consent and procedures under Section 184 of the Highways Act to be implemented. The applicant is also advised that if any of the works associated with the construction of the vehicular access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) then the applicant will be required to bear the cost of such removal or alteration.

2/ The applicant is advised that all cycle parking to be provided within the site shall be designed in accordance with the Central Bedfordshire Council's "Cycle Parking Annexes – July 2010".

Trees and Landscape

Tree Officer

Proposal is an outline application to allow development of this site to include 25 new dwellings and associated infrastructure.

The existing site comprises of arable land sloping north towards Maulden Woods. The site itself has no existing landscape features. The Planning Statement and plans indicate that a development buffer zone will be created along the north boundary of the site to avoid damage to roots encroaching from Maulden Woods and also to minimise effect on wildlife within the wood. That is welcomed and I accept that no Arboricultural Impact Assessment is required, however I would want to see tree protection fencing erected along this north boundary at a distance of 5 metres from the boundary edge to ensure plant and materials are not stored along this edge or ground levels changed.

Indicative planting is shown on the Illustrative Masterplan that includes new hedgelines and tree planting. I would ask that it includes post and rail fencing with native hedgeline along the north boundary with the wood. I would ask that this planting is not maintained as part of individual plots but incorporated into the publicly maintained realm.

Conditioned landscape detail is required.

Landscape Officer

There are major concerns regarding the visual impact and loss of landscape character which would arise if this site was to be developed.

The site is one of two remaining small fields to the north of Clophill Road which provide open views up to Maulden Woods, within the hamlet of Hall End. The view over rising ground to the woodland edge is highly characteristic and helps to retain the sense of place and connection between the settlement and this major landscape feature. Development of either or both fields (land to the east is also subject to an application)

would block views of the wood to the detriment of local amenity - not only for local residents but for the many people who use the road and local paths for recreational use. Development would also set a precedent for additional development on the land to the east, which would result in the total loss of direct views up to the wood at this location.

The proposal has included a landscaped frontage , with trees planted in a wide verge, which is sympathetic to the location. However, this scale of development would extend the urbanisation of the hamlet and block the critical view to the woods.

The Applicant's LVIA assesses the woods as having a High Visual Sensitivity and the magnitude of change and visual impact following development to be either moderate or substantial adverse ,when seen from key receptors such as adjacent properties and from Clophill Road. The photographs supplied, eg Photos 3-6 illustrate the attractiveness of the small scale agricultural landscape and the direct views to the woods which will be lost.

The site lies within the "Mid Greensand Ridge " - the Guidelines for Development for this area include-

6B1.32 - Monitor linear development , infill of villages in order to prevent coalescence and loss of individual village identity - this is particularly the case for the dispersed ,loose settlements and "Ends ".

6B1.35 -Conserve the ridge in providing a strong wooded horizon , skyline and backdrop to the adjacent clay vales.

6B1.37 -Conserve the character of rural roads ,limiting urban influences .

The loss of the open views to Maulden Wood together with the loss of agricultural land which forms part of the characteristic sequence of open spaces and settlement within Clophill and more particularly Maulden, mean that this proposal would detract from landscape character and be contrary to Policy 16. The Greensand landscape , of which this field forms a parcel, is considered to be "valued " in terms of the NPPF. Clophill lies within the new Greensand Country Landscape Partnership - a HLF funded programme to enhance the landscape of the Greensand Ridge and Flitt Valley . Inappropriate development has been a key cause of the decline in landscape character.

The application has failed to respond sufficiently to the design guidance offered in the LVIA submitted. However, even at a reduced scale , development would lead to an unacceptable change in character within the hamlet. The development would only secure a very limited extent of buffer to Maulden Woods which is unacceptable in terms of green infrastructure provision and the need for a nett gain for ecology within the NIA. Cumulative impact is also a further concern.

Ecology

The site lies in the Greensand Ridge Nature Improvement Area, on an area of arable land adjacent to Maulden Woods SSSI. The proposed site layout places development within 20 metres of this wooded edge which is not acceptable. The Planners Manual for Ancient Trees and Woodland October 2017 advises a buffer of 50m between woodland and a development. Part A38 of the 2017 Housing White Paper states ' Ancient Woodland and aged or veteran trees are irreplaceable habitats and we consider it important that national policy reflects the need to protect them.'

5.4 of the D&A states that Trilley Fields to the east is the most recent development but this is not the case, the adjacent bungalows to the west are the most recent. This application took account of species interest on site, acknowledging the value of habitat provision and connectivity and hence maintained an area for reptile habitat in excess of 80m. This level of provision shows appropriate consideration for biodiversity and the importance of providing enhancements. Trilley fields is not an exemplar site to be followed or mirrored in ecological terms.

The Ecological Assessment undertaken utilises data from 2016/7 and finds the site to be '..of very low biodiversity value..'. However this looks at the arable field and it's current ecological interest it does not consider the value of the site as a buffer for the SSSI.

It acknowledges;

The site lies immediately adjacent to Maulden Woods SSSI and CWS.

A 19 hole badger sett was located to the north of the site on the boundary with the SSSI

A slow worm population present.

Scrub and grassland found in semi-natural site boundary habitats

The report suggests that mitigation measures will be required which would include the provision of a buffer zone between the development and the SSSI and calls for a restrictive covenant on lighting for the properties closest to the wood. It also states in 5.1.9 that 'lawful access to Maulden Wood SSSI via official paths is unlikely to increase'. The terms used here infer that 'unlawful' access may in fact occur.

4.1 of the D&A states that there will be 'no public access to the buffer zone or woodland from the development'. However the Feb 2018 Illustrative masterplan clearly shows a path between properties 17 and 18. The buffer zone should be just that and NOT form part of any Public Open Space, the layout appears cramped with no other provision for open space or habitat enhancements.

5.2.2 of the EA proposes the erection of a fence to ensure residents will be prevented from using this space but this is not referred to in the D&A and is unlikely to form an attractive edge to which the northern properties would look out onto, hence unlikely to be provided.

Some measures to provide ecological gains are mentioned, such as the inclusion of integrated bird bricks in some of the dwellings, but these measures do not go far enough to mitigate the potential detrimental impacts on the woodland or associated species, as such the proposal is objected to.

SuDS

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

1. Soakaways are to be 5 metres from any structure and where possible 5 metres from boundaries.

2. The most northern road could utilise a swale instead of the soakaway.
3. The most southern boundary could utilise the green spaces as rain gardens or shallow (dry) retention basins to reduce the size of the soakaways. There is scope for this to be utilised elsewhere too.
4. Where the use of permeable surfacing is proposed, this should be designed in accordance with the 'CIRIA RP992 The SuDS Manual Update: Paper RP992/28: Design Assessment Checklists for Permeable/Porous Pavement'.
5. The final detailed design including proposed standards of operation, construction, structural integrity and ongoing maintenance must be compliant with the 'Non-statutory technical standards for sustainable drainage systems' (March 2015, Ref: PB14308), 'Central Bedfordshire Sustainable Drainage Guidance' (Adopted April 2014, Updated May 2015), and recognised best practise including the Ciria SuDS Manual (2016, C753).
6. To ensure future homeowners and subsequent homeowners will be aware of any maintenance requirements / responsibilities for surface water drainage; further measures should be proposed by the applicant and may include, for example, information provided to the first purchaser of the property and also designation/registration of the SuDS so that it appears as a Land Charge for the property and as such is identified to subsequent purchasers of the property. Any methods involving designation or registering a Land Charge are to be agreed with the LPA.

Recommended conditions;

Condition 1: No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Surface Water Drainage strategy (June 2017) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. 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 of the NPPF.

Condition 2: No building/dwelling 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.

The Greensand Trust

The Greensand Trust objects to this application. Comments are summarised as:

- Harm to biodiversity and landscape character when viewed in conjunction with development recently approved under application ref. CB/17/00981/OUT.
- Public access to the proposed buffer would negate the ecological purpose of the buffer.
- No information has been provided in terms of the management of the buffer area.
- The Site is outside of the settlement envelope.
- Relevant additional ecological work has not been carried out to understand the extent of the mitigation required.

Natural England

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

In order to make the development acceptable, the following mitigation option should be secured:

- Production of an ecological management plan for the 'buffer' area.

We also strongly advise that the applicant discusses access into Maulden Wood and Pennyfather's Hill SSSI and Maulden Heath SSSI with Forestry Commission to promote the use of formal access by new residents and to provide mitigation if the creation of unauthorised access points to the SSSI is considered to be likely.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure.

Natural England's advice on other natural environment issues is set out below.

The Wildlife Trust

The Wildlife Trust objects to this application. Comments are summarised as:

- The cumulative impact of existing development and recently approved development would harm biodiversity.
- Lighting associated with the proposal would harm the woodland edge and disturb wildlife.
- There is no indication of how the buffer would be maintained.

Environmental Health

I have no objections to the proposals subject to the following condition being placed on any permission.

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.

Reason: To protect human health and the environment

Bedfordshire and River Ivel Internal Drainage Board – No objection.

Waste Services – No objection.

Environment Agency – No objection.

Fire and Rescue – No objection.

Affordable Housing Officer – No objection.

Education Spending Officers – No contributions requested.

Local Residents

9 letters of objection have been received from surrounding addresses and also the Wildlife Trust. Comments are summarised as:

- Harm to biodiversity and the adjacent SSSI (including cumulative impacts of development and lighting).
- Harm to living conditions in terms of overlooking, overbearing and loss of light.
- Harm to the character of the area.
- Increased traffic and congestion and associated noise and disturbance.
- Harm in terms of vehicular and pedestrian safety.
- Insufficient services (including school provision and healthcare).
- Limited need for additional housing.
- Noise and disturbance to living conditions during construction.
- Harm in terms of flooding.

It is noted that concerns have been raised regarding the loss of existing views and damage to property as a result of the proposed development. The loss of a view is not a material planning consideration and therefore carries no weight in the determination of this application. Further, any structural damage to property as a result of the proposal would form a legal matter outside of the remit of planning.

Further, it is noted concern has been raised with regards to the proposal impacting on the existing electricity supply and reference has been made to other developments within the surrounding area. It is the statutory duty of relevant bodies to provide electricity for dwellings and, as such, it is not reasonable for this to weigh against this

scheme. Additionally, each scheme is determined upon its own particular merits with regards to its individual circumstances. The determination of surrounding developments therefore holds little weight in the determination of this scheme.

Determining Issues:

The main considerations of the application are;

1. The principle of the development
2. The quality of the design and the impact upon the character of the area
3. The impact upon living conditions
4. Highway safety and parking provision
5. Other material considerations
 - i. Sustainability
 - ii. Ecology
 - iii. Flooding and Drainage
 - iv. Affordable Housing and Contributions
 - v. Contaminated Land

Considerations

1. The principle of the development

- 1.1 The application site is located outside of the defined 'settlement envelopes' of nearby villages and the Council can currently demonstrate a five year supply of housing land.
- 1.2 It is acknowledged that the approach of Policy DM4 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the balanced, cost/benefit, approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework's overall approach. However, this policy also seeks to ensure development is channelled to more sustainable settlements, away from isolated rural locations which have limited access to services and facilities. In this respect, Policy DM4 is entirely consistent with the thrust of the Framework which seeks to promote sustainable social, economic and environmental development. Overall, it is considered that weight may still be attributed to this policy in the determination of this application as the Council seeks to deliver planned development in a sustainable manner.
- 1.3 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.
- 1.4 Notwithstanding this identified conflict with the existing Development Plan, it should be noted that the application site covers approximately two thirds of a site which has progressed towards allocation within the Submission Version of the

emerging Local Plan. Accordingly, the majority of this application site will be considered for formal allocation by the Planning Inspectorate.

- 1.5 This proposal differs from the possible emerging allocation as it draws built form closer to the adjacent SSSI and the rationale for the difference between the site within the emerging Local Plan and the development proposed under this application is discussed throughout this report. However, it is primarily due to recent alterations to the guidance from Natural England relating to 'buffers' between built form and SSSI.
- 1.6 The site has been assessed through the emerging plan-led approach to development and has been put forward for examination for formal allocation. This development may therefore comply with this emerging approach of the Council and the possibility of formal allocation weighs in favour of this scheme.

2. The quality of the design and the impact upon the character of the area

- 2.1 Policies CS14, DM3 and DM4 seeks to ensure proposals are of a high quality of design, respect the local context in which they are in, are appropriate in terms of scale and have an acceptable impact upon the landscape. Chapter 7 of the Framework emphasises the importance of good design in context and, in particular, paragraph 64 states permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.
- 2.2 The application site comprises an area of open agricultural land, adjacent to built residential form to the west, and is accessed off Clophill Road which bounds the site to the south. Though there is vegetation to the front of the site, views would be available of the proposed development from the public domain.
- 2.3 It is noted that concern has been raised from Landscape Officers regarding the loss of views of the woodland to the rear of the site and the loss of an open field which is considered to contribute positively to settlement character. However, the woodland to the rear is at an elevated position compared to vantage points along the access road and so views of vegetation to the north of the site would still be available. In any event, the loss of a particular view is afforded no weight in this balancing exercise.
- 2.4 Under the current adopted Development Plan, the site is not an identified 'gap' in policy terms and comprises no discernible landscape features. Given the existence of built residential form immediately adjacent to and opposite the site to the south, it is considered that this development would represent a logical expansion to the village.
- 2.5 The units would not be more than two storeys in height and sufficient space would be left about units to ensure that they did not appear cramped upon their plots. It is recommended that permitted development rights for extensions and roof alterations (including dormer windows) are withdrawn to ensure the development remains acceptable in terms of spacing and design. Furthermore, a Landscaping Plan could be secured to ensure that built form is appropriately softened.

- 2.6 Though the extent to which the development would be visible would depend upon details reserved for future determination, and it is anticipated that views of the units would be screened by established and proposed vegetation, it is acknowledged that the final form of the proposal would result in residential development on land predominantly absent of built form. This would not result in the merging of settlements or harm to the wider landscape character, but would add to the erosion of the countryside.
- 2.7 Overall, there would be some visual and landscape harm arising from the loss of the site's open and undeveloped character. However, this could be mitigated, through the appropriate management of elements reserved for future consideration and through conditions. As such, the proposal would not result in significant harm in this regard.

3. The impact upon living conditions

- 3.1 Policy DM3 aims to preserve neighbouring amenity. Furthermore, guidance in paragraph 17 of the NPPF is to always seek to secure high quality design and good standard of amenity for all existing and future occupiers of land and buildings.
- 3.2 Though the detailed layout and overall design of units is reserved for future consideration, the illustrative layout indicates that dwellings at 'plot 1' would be approximately 12m away from the existing property to the west. The dwelling at 'plot 7' would not extend beyond the existing property immediately adjacent to the site to the west and would be approximately 3m away from this existing unit.
- 3.3 Overall, it is considered that, given the size of the application site, units could be positioned and designed in such a way as to not result in significant and demonstrable harm to the living conditions of surrounding units (including those approved at the adjacent site under application ref. CB/17/00981/OUT). Furthermore, given the existence of surrounding residential units and the scale of the proposal, it is not considered that the access would result in significant harm in terms of increased noise and disturbance from vehicular movements associated with the development.
- 3.4 Additionally, it is noted that specific concerns have been raised with regards to the impacts of the proposal in terms of noise and disturbance during construction. The construction of units must adhere to environmental health legislation (which, amongst other things, manages the hours of construction to appropriate times) and it is recommended that a Construction Management Plan is requested through condition. This would ensure that vehicular movements and methods of dust suppression are appropriately managed, in the interest of neighbouring living conditions. Overall, it is not considered that the proposal would result in significant harm in this regard.

4. Highway safety and parking provision

- 4.1 Guidance within the 'Design for Central Bedfordshire: A Guide for Development' states that, generally, one bedroom units will require one parking space, two and three bedroom units will require two parking spaces and four bedroom units will require three spaces.

- 4.2 Though plots seem large enough to accommodate sufficient off-road parking, the overall layout of units is reserved for future consideration. However, a condition requested by Highways Officers would ensure that parking provision is in accordance with the Council's standards applicable at the time of submission of reserved matters applications.
- 4.3 Turning to highway safety, on discussion with Highways Officers it is considered that the access to the site would be suitable and that vehicular movements associated with this development could be accommodated on the existing highway network.
- 4.4 Accordingly, subject to the imposition of conditions requesting; appropriate visibility splays and footpaths, suitable turning heads, details of off-street parking and cycle provision and dropped crossing points to both bus stops on Clophill Road, the development is considered acceptable in this regard.

5. Other material considerations

(i) Sustainability

- 5.1 The Framework adopts a broad definition of sustainable development in that it states that the policies in paragraphs 18 – 219, taken as a whole, constitute the Government's view of what sustainable development means in practice. The Framework also establishes that the purpose of the planning system is to contribute to the achievement of sustainable development, which includes economic, social and environmental dimensions.

Social

- 5.2 The proposal would make a valuable contribution to the existing housing stock. Given that one of the key aims of the Framework is to significantly boost the supply of housing, the proposal is considered sustainable in this regard and significant weight in favour of the proposal is attached to this factor. Further, it is noted that there has been concern raised with regards to there not being the services within Clophill and Maulden to support this development. However, both settlements are defined as a Large Villages within Policy CS1 and have a number of services and facilities. Taking this into account, and given the statutory duty of relevant bodies to provide services (such as health and education) it is considered that there are sufficient services with the Large Village to accommodate the additional units.

Economic

- 5.3 The proposal would also result in economic benefits, through the purchase of materials and services in connection with the construction of the dwellings and an increase in local household expenditure. The proposal is considered sustainable in this regard, which again weighs in favour of the grant of permission.

Environmental

5.4 It is acknowledged that the proposal would result in some (moderate) harm to the character of the rural setting. However, the proposal is within close proximity to services and facilities and, overall, the development would not be environmentally unsustainable.

(ii) Ecology

5.5 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (paragraphs 118-119), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 as well as Circular 06/05. Furthermore, Policy CS18 seeks to support the maintenance and enhancement of habitats and states that development that would fragment or prejudice the biodiversity network will not be supported.

5.6 The application site lies immediately adjacent to a SSSI to the north. To ensure that the development would not result in harm to this SSSI the illustrative layout shows a 'buffer' (of approximately 22m) between built form and the woodland area.

5.7 It is noted that the proposed 'buffer' to the SSSI is smaller than that shown on illustrative plans associated with the emerging Local Plan (minimum 50m). Firstly, it should be noted that plans accompanying the emerging Local Plan are indicative only and, given the stage of this Plan, limited weight is afforded to them in any event.

5.8 Further, the guidance from Natural England which informed the increased 'buffer' shown in the emerging Plan has now been removed to allow for discussions with the Home Builders Federation. As such, guidance in this regard has reverted back to that issued in October 2015 which only recommends a 15m buffer. This development therefore exceeds the minimum buffer required under current guidance.

5.9 It is also noted that there is concern with regard to a possible public route through to this buffer which is shown on the illustrative layout. However, these plans are simply indicative and, through the consideration of the layout of the scheme through reserved matters applications, the Local Planning Authority would ensure that there is no public access to this 'buffer' from the development.

5.10 Natural England have considered this development and, subject to the appropriate management of the 'buffer', no objection has been raised. A condition is recommended to ensure that this 'buffer' area is indeed suitably managed.

5.11 The site lies in the Greensand Ridge Nature Improvement Area (NIA) and as such development would be expected to deliver net gains for biodiversity. In order to achieve this, it is recommended that a condition is imposed requiring the submission of an Ecological Enhancement Plan. It is also recommended that a scheme for external lighting is secured conditionally to ensure that wildlife is not harmed from light sources.

5.12 Taking all of the above into account, subject to the imposition of identified conditions, the proposal would preserve the key features that resulted in this SSSI

designation (fragments of semi-natural woodland). Accordingly, the proposal is considered acceptable in this regard (even when viewed in context with development approved under application ref. CB/17/00981/OUT).

(iii) Flooding and Drainage

5.13 Policy CS13 seeks to ensure that proposals incorporate suitable drainage infrastructure. It is acknowledged that concern has been raised with regards to the proposal being susceptible to and increasing the risk of flooding.

5.14 However, the site lies wholly within Flood Zone 1 – indicating a low probability of flooding. Further, on discussion with internal Drainage Engineers, it is considered that, subject conditions requesting the submission of a detailed Surface Water Drainage Plan and an associated maintenance plan, the proposal would not increase the risk of flooding to the surrounding area and proposed units would not be susceptible to such risks. Subject to the imposition of this requested condition, and as there is no objection from the Environment Agency, the proposal would be acceptable in this regard.

5.15 It is also noted that concerns have been raised with regards to the impact the development may have upon the sewerage network. However, impacts in this regard fall somewhat outside of the remit of planning and the impact upon sewerage infrastructure would be suitably assessed during any application made to conform with Building Regulations legislation.

(iv) Affordable Housing and Contributions

5.16 Policy CS7 states that development of four or more dwellings should provide an element of affordable housing and Policy CS2 seeks to secure appropriate contributions.

5.17 The applicant has agreed to provide 35% affordable housing (9 dwellings). Further to this, the Strategic Housing Market Assessment (SHMA) has a tenure split requirement from sites meeting the affordable housing threshold as being 73% affordable rent and 27% intermediate tenure. The applicant has also agreed to provide affordable housing in line with the SHMA. As such, subject to an appropriate legal agreement, the development is acceptable in this regard.

5.18 Community Infrastructure Levy (CIL) Regulation 122 states that planning obligations must be necessary, directly related, and fairly and reasonably related in scale and kind to the development in question.

5.19 The applicant has also agreed to make the following contributions towards education:

EY	£25,924.50
Lower	£86,415.00
Middle	£86,954.40
Upper	£106,629.12
Total	£305,923.02

5.20 These contributions are CIL compliant and the applicant has agreed to provide them through a relevant legal agreement.

(v) Contaminated Land

5.21 Given the existing agricultural use of the site, on discussion with Public Protection it is considered that there may be some risk to human health through ground contamination. As such, it is recommended that a condition is imposed requiring any unexpected contamination to be reported and appropriately remediated.

Other Matters

5.22 It should also be noted that this application site has progressed to Submission Version of the emerging Local Plan for allocation. Though the Council cannot comment on how likely it is that this site would form an allocated site under this emerging Plan, the chance of this occurring has increased.

5.23 Notwithstanding the above, given the early stage of this emerging Local Plan, limited weight is afforded to this document in the determination of this application. Further, each site is to be assessed upon its own individual merits.

6. Overall Planning Balance

6.1 The proposal, for residential units outside of a settlement boundary, conflicts with the current settlement strategy of the Council (denoted by Policies CS1 and DM4). This weighs against the grant of permission.

6.2 It is acknowledged that there would be some harm to the landscape character. However, when considered in the round, the development represents a logical expansion to the settlement and would contribute significantly to the economic and social dimensions of sustainability.

6.3 In the overall balancing exercise required, the identified harm and conflict with the Development Plan, would be significantly out-weighed by the benefits of this scheme, particularly when assessed against the Framework as a whole.

Recommendation:

That Outline Planning Permission be GRANTED subject to the completion of a S106 for affordable housing and contributions to local infrastructure and the following conditions:

RECOMMENDED CONDITIONS

- 1 Details of the appearance, landscaping, layout, and scale, (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 Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 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.

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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; 1205/1A.

Reason: To identify the approved plans and to avoid doubt.

5 The number of dwellinghouses approved shall not exceed 25.

Reason: To appropriately manage the scale of the development at the site, in accordance with Policies CS14, DM3 and DM4 of the Core Strategy and Development Management Policies 2009.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development within Schedule 2, Part 1, Classes A and B shall take place.

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the character of the area and neighbouring living conditions, in accordance with Policies CS14, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

7 Prior to first occupation of the buildings hereby approved full details on a suitably scaled plan of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be in addition to those shown on the approved plans and shall be carried out and retained as approved. The landscaping details to be submitted shall include:-

a) means of enclosure;

b) existing and proposed finished levels and finished floor levels.

c) planting plans, including specifications of species, sizes, planting centres, planting method and number and percentage mix;

d) details for all external hard surface within the site, including roads, drainage detail and car parking areas.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 8 All planting, seeding or turfing and soil preparation comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the building; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy DM14 of the Core Strategy and Development Management Policies 2009.

- 9 The development shall not commence until a Construction Management Plan has been submitted to and approved, in writing, by the Local Planning Authority. The statement shall include:

- i) waste management measures;
- ii) details of site compounds, offices and areas to be used for the storage of materials;
- iii) methods and details of dust suppression during construction;
- iv) proposals to minimise harm and disruption to the adjacent local area from ground works, construction noise and site traffic.
- v) construction traffic routes

The development shall be carried out in accordance with the details so approved.

Reason: In the interest of highway safety and the living conditions of surrounding properties.

- 10 Prior to the first occupation of the buildings hereby approved, a scheme for external lighting shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out and retained in accordance with approved details.

Reason: To ensure a satisfactory appearance to the development and in the interest of biodiversity in accordance with Policies CS14, CS18, DM3 and DM14 of the Core Strategy and Development Management Policies 2009.

- 11 A landscape and ecological management plan for the 'buffer' between the development hereby approved and the adjacent SSSI shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of the development. The content of the plan shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The approved development will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity, in accordance Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 12 Prior to the first occupation of the development hereby approved details for ecological enhancements at the site shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the development shall be carried out and retained in accordance with these details.

Reason: In the interests of biodiversity, in accordance with Policy CS18 of the Core Strategy and Development Management Policies 2009.

- 13 Should any unexpected contaminated material be encountered during development, the development must cease immediately and the Council must be informed without delay and an appropriate course of action agreed in writing. Subsequently, the development shall continue in accordance with this agreed course of action until completed.

Reason: In the interest of human health.

- 14 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Surface Water Drainage strategy (June 2017) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. 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 of the NPPF

- 15 No building/dwelling 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.

- 16 No building shall be occupied until the junction of the proposed vehicular access (altered roundabout) with the highway has been constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and the premises.

- 17 Visibility splays shall be provided at the junction of the access with the public highway before the development is brought into use. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the proposed access from its junction with the channel of the public highway and 43m measured from the centre line of the proposed access along the line of the channel of the public highway. The required vision splays shall for the perpetuity of the development remain free of any obstruction to visibility.

Reason: To provide adequate visibility between the existing highway and the proposed access, and to make the access safe and convenient for the traffic which is likely to use it.

- 18 Visibility splays shall be provided at all internal road junctions within the site. The minimum dimensions to provide the required splay lines shall be 2.4m measured along the centre line of the side road from its junction with the channel to the through road and 25m measured from the centre line of the side road along the channel of the through road. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be entirely free of any obstruction.

Reason: To provide adequate visibility at road junction in the interest of road safety.

- 19 The development shall be served by means of roads and footpaths which shall be laid out and drained in accordance with the Central Bedfordshire Design Guide September 2014 or other such documents that replace them, and no building shall be occupied until the roads and footpaths which provide access to it from the existing highway have been laid out and constructed in accordance with the above-mentioned Guidance.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the proposed estate road.

- 20 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall illustrate an independent vehicular turning head area's for an 11.5m refuse collection vehicle.

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding the reversing of vehicles on to the highway and parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

- 21 The detailed layout plans to be submitted for approval of reserved matters in connection with this development shall include car and cycle parking in accordance with Central Bedfordshire Design Guide September 2014 or other such documents that replace them has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use before the development is occupied and the car and cycle parking areas shall not thereafter be used for any other purpose.

Reason: To ensure a satisfactory standard of development in accordance with the Central Bedfordshire Design Guide September 2014.

- 22 No development shall commence until dropped crossing points to both bus stops on Clophill Road in the near vicinity of the development entrance have been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway to the crossing.

Reason: In the interests of road safety and pedestrian movement.

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.

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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