

Item No. 7

APPLICATION NUMBER	CB/17/04833/FULL
LOCATION	Land between 8A and 28 and rear of 28 to 38, New Road, Clifton
PROPOSAL	Erection of up to 25 dwellings with allocated parking and associated works.
PARISH	Clifton
WARD	Arlesey
WARD COUNCILLORS	Cllrs Dalgarno, Shelvey & Wenham
CASE OFFICER	Martin Plummer
DATE REGISTERED	30 October 2017
EXPIRY DATE	29 January 2018
APPLICANT	High Street Homes
AGENT	David Coles architects Ltd
REASON FOR COMMITTEE TO DETERMINE	Major application - departure to Development Plan
RECOMMENDED DECISION	Full Application - Recommended for Approval

Summary of Recommendation:

The proposal for 25 dwellings located outside the settlement envelope represents a departure from the development plan. However, the development of the site to accommodate 20 dwellings has previously been considered to be acceptable by the Development Management Committee. The report outlines the visual impact the proposal would have but such harm is out-weighted by the sustainable location of the development and that the development would provide additional housing (35% of which will be affordable). There is not considered to be any material harm in highway safety, living conditions of neighbours, flood risk, or ecology and the applicant commits to various financial contributions to offset the impact on infrastructure. The development is, in this respect considered to represent a sustainable form of development.

Site Location:

The application site is an undeveloped parcel of land located adjacent to, but outside of the settlement envelope for Clifton. The site is defined on its southern, western and the majority of its northern boundary by established trees and hedgerows. The site is open to the east as it adjoins a new housing development – that site was allocated for residential development in the Core Strategy. The site has been maintained as grassland with no agricultural activity evident.

The Application:

Members resolved to approve outline planning permission for the erection of 20 dwellings subject to the signing of a S106 at the site under LPA reference CB/16/04918/OUT. The S106 has not been signed and the decision has not

therefore been issued in respect of that outline application.

This application seeks full planning permission for development on the site for 25 dwellings – an increase of five dwellings from the previous application. The development site will join onto the existing access road constructed as part of the adjacent development to the east which would join the highway at New Road.

The plans and application form show the following schedule of development:-

Open Market:-

13no 3 bed dwellings
3no 4+ bed dwellings
(16 in total)

Affordable

6no 2 bed dwellings
3no 3 bed dwellings

(9 in total – 36% provision of affordable dwellings)

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS2 Developer Contributions
CS3 Healthy and Sustainable Communities
CS4 Linking Communities - Accessibility and Transport
CS5 Providing Homes
CS6 Delivery and Timing of Housing Provision
CS7 Affordable Housing
CS13 Climate Change
CS14 High Quality Development
CS16 Landscape and Woodland
CS17 Green Infrastructure
CS18 Biodiversity and Geological Conservation
DM1 Renewable Energy
DM2 Sustainable Construction of New Buildings
DM3 High Quality Development
DM4 Development Within and Beyond Settlement Envelopes
DM10 Housing Mix
DM14 Landscape and Woodland
DM15 Biodiversity
DM16 Green Infrastructure
DM17 Accessible Green Spaces

Central Bedfordshire Local Plan - Emerging

The Central Bedfordshire Local Plan has reached submission stage and was submitted to the Secretary of State on 30 April 2018. 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:

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

Reference should be made to the Central Bedfordshire Submission Local Plan which should be given limited weight having regard to the above. The following policies are relevant to the consideration of this application: SP1, 7, EMP4, 5, HQ1, 2, 4, 11, T1, T4, T5, EE1, 2, 3, 4, 5, 13, DC1, 5, H1, 4, CC1, 2.

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Relevant Planning History:

Application Number	CB/16/04918/OUT
Description	Outline Application: Development of 20 dwellings, public open space, landscaping, parking and associated works. All matters to be reserved with the exception of access.
Decision	Members resolved to approve planning permission subject to the signing of a S106
Decision Date	19.07.2017

Consultees:

Clifton Parish Council	No objection to principle of development but, objection on the basis of removal of a hedge and impact on ecology and biodiversity.
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Highways	The amended layout does not lead to an objection in highway safety terms but, the development should have 2m wide footways or service margins to ensure serviceability of the roads for the council, utility companies and last but not least the residents themselves. Should a fault occur in any of the roads there would be a potential for areas to be closed off which could limit accessibility to dwellings for vehicles and reduced aisle widths for turning vehicles out of driveways.
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Whilst there is no objection to a shared surface road approach there is potential conflict for pedestrians and drivers due to the shortfall of space in the road layout for them to share the area in safety, as it is contended that cars will also park on the shared area if there are more cars than parking is provided for and that there will be indiscriminate parking by leaving one car on the road for ease of use by drivers. This would then reduce the defensible area that pedestrians may feel comfortable with. Pedestrians should have a transitional area between

shared surface roads and traditional footways which is not the case.

As the road currently shown would not be adopted (failure to meet minimum highway standards) it may be the case that alternative waste collection may be required, it is confirmed that a RCV could navigate the site layout.

Trees and Landscape There are limited landscape features of value although a hedge line to the northern boundary is proposed to be removed. Information is submitted which demonstrates how landscape features will be retained and protected.

Ecology Development should deliver a net gain to biodiversity and a planning condition is recommended relating to this.

Leisure Spending Officer No contributions are required.

Community Facilities Spending Officer Recommends a financial contribution of £39,006 towards the upgrading of Clifton Village Hall.

Pollution Team No comment.

Education Spending Officer Recommends the financial contribution which was approved as part of the previous scheme at the site for 20 dwellings, together with an additional contribution for the five additional dwellings. In total then, the following contributions are recommended: -

Early Years £19,011.3

Lower £63,371

Middle £63,766.56

Upper £78,194.71

The lower school contribution would go towards the expansion of Clifton All Saints Academy or such other identified education project (in accordance with reg 123(3) as identified by Central Bedfordshire Council and notified to the owner/developer).

The middle school contribution would go towards the expansion of Henlow Academy or such other identified education project (in accordance with reg 123(3) as identified by Central Bedfordshire Council and notified to the owner/developer).

The upper school contribution would go towards the creation of additional upper school places at Samuel Whitbread Academy, or Pix Brook Academy, or such other identified education project (in accordance with reg 123(3) as identified by Central Bedfordshire Council and notified to the owner/developer).

Meeting the Accommodation Needs of Older People (MANOP) Team Consideration for meeting the needs of older people should be given.

Bedfordshire Fire and Rescue Refer the Council to building regulation requirements for fire hydrants and fire engine access.

Other Representations:

Neighbours 21 representations received raising following comments in objection:-

- Contrary to the Development Plan;
- Unsustainable form of development;
- Access road should be re-surfaced;
- Inadequate pedestrian access to schools;
- Development is out of keeping with character of existing settlement;
- Provision for construction workers vehicles;
- Harmful impact on highway safety and capacity;
- Harmful impact on existing infrastructure – schools and medical centre which are already over-capacity;
- Existing schools are not capable of expanding to accommodate development;
- Increased flood risk;
- Loss of green space and harmful impact on ecology.

Clifton Action Group Objection based on the increase in numbers of dwellings proposed from that previously approved and resultant impact on road capacity and highway safety.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Whether the site represents a sustainable location for development
3. Affect on the Character and Appearance of the Area
4. Neighbouring Amenity
5. Highway Considerations
6. Other Considerations
7. Sustainable Development and the Planning Balance.

Considerations

1. Principle of Development

1.1 The site lies outside of the settlement envelope of Clifton and is therefore located on land regarded as open countryside. The adopted policies within the

Core Strategy and Development Management Policies 2009 limit new housing development on unallocated sites to within settlement envelopes (Policy DM4). Clifton is designated as a large village where Policy DM4 limits new housing to small scale developments. On the basis of Policy DM4 a residential proposal outside of the settlement envelope would be regarded as contrary to policy. However it is necessary for the Council to consider whether material considerations outweigh the non-compliance with Policy

- 1.2 The Council is able to demonstrate a five-year supply of housing land in excess of the 5 year requirement. Therefore, the Council's policies concerned with the supply of housing are not considered to be out of date – the 'tilted-balance' test in paragraph 14 of the NPPF is not therefore engaged. However, proposals should still be considered in the context of the presumption in favour of sustainable development – that is the determining consideration in this application.

2. Sustainable location for development

- 2.1 Clifton is designated as a large village. Taken in isolation it is a settlement that contains a number of services including village shops, petrol station, restaurant/pubs, school, local businesses, community halls and public transport availability via buses. In addition to this Clifton is very closely related to Shefford which is designated as a Minor Service Centre. Shefford has a range of additional and alternative services that can be accessed by residents of Clifton. Taking these points into account it is considered that, as a settlement, Clifton should be regarded as being sustainable.
- 2.2 Settlements that are classified as Large Villages are considered to be able to accommodate small scale housing and employment uses together with new facilities to serve the village. Although small scale development is not defined, the scale of the proposed development should reflect the scale of the settlement in which it is to be located. The scale of this proposal is considered to be reflective of the scale of development of the area, namely the recently constructed development immediately east of this application site.
- 2.3 Although it is acknowledged that the development is contrary to policy DM4 it is also considered that the individual merits of this site and its relationship to the existing settlement are such that the loss of open countryside in this instance is not considered to result in a significantly adverse impact on the character and appearance of the area. This is particularly apparent as the application site has a clear relationship with existing residential development on three of its sides.
- 2.4 Some weight can also be given to the benefit of the site providing what could be shown to strengthen the Council's housing land supply.
- 2.5 It is therefore considered that while the proposal is directly contrary to policy DM4 the loss of open countryside and impact on the character of the area is not in this instance harmful to the extent that it would warrant a reason to refuse planning permission. Therefore, it is considered that the scheme can be considered acceptable. Additional material planning considerations may contribute towards the benefits and the dis-benefits of the development and can impact of the final planning balance. These are considered in the report

below.

3. Affect on the Character and Appearance of the Area

- 3.1 Development of the site will increase the built form in the area. Development results in a loss of open countryside and this is considered to be an adverse impact. However the site abuts residential development and curtilage to three of its four sides. It is a parcel of land that sits alone in relation to the village and the open countryside and does not form part of the arable fields to the south. This particular site has a clear relationship with the built form of the village and would not read as an isolated development. It can be regarded as a sympathetic extension of the village which would tie into the housing development currently under construction to the East. Therefore while there would be a loss of open countryside it is not considered that the impact would detrimentally harm the character and appearance of the area to the extent that it is regarded as significant and demonstrable in this instance.
- 3.2 With regards to the proposed layout, the plans submitted show an overall layout and density which is comparable to that at the adjoining and recently constructed development to the east. The garden amenity space serving the proposed dwellings complies with the space standards in the Design Guide and the proposed layout incorporates adequate spacing and opportunities for soft landscaping between built form and around the development.
- 3.3 The road layout, width and configuration has been amended during the application process following comments from the Highways Team and incorporates a shared surface of road and footways. The Highways Team make representations in terms of the pedestrian footway width and the need to ensure adequate vehicle space in the event that service spaces need to be repaired and, the need to ensure adequate space for pedestrian movements in the event that cars park within the shared surface.
- 3.4 The Design Guide sets out that, road widths for development of this scale should be 4.7 metres as a minimum with pedestrian footways (or service margins) 2 metres wide either side of the road. The proposed scheme incorporates roads widths of 4.7 metres (and in places an exceedance of this width), and the provision of some areas with 2 metres service margin but the majority with a 1 metre service margin. The Design Guide explains that, in designing shared spaces the normal parameters (i.e. 4.7 metre with 2 metre footways) should be followed but only where appropriate to reflect the movement function and type of street.
- 3.5 This development provides a relatively modest number of dwellings – 25 where traffic movements are not likely to be significant (discussed further below), in a cul-de-space arrangement (i.e. not a through road linking to other development) where, given the road shape and design, vehicle speeds will likely be relatively low. The development also satisfies parking standards (including visitor parking). In this respect, the proposed shared surface arrangement and associated space for pedestrian and vehicular movements is considered to be acceptable in this particular case and will, in Officers opinion, result in a high quality layout appropriate to the site context.

- 3.6 The site is bounded by mature tree and hedge planting to the boundaries and Members will note the concerns raised by the Parish Council in respect of the removal of the existing landscaping to the northern boundary – this element of the application has been amended and this feature is to be retained.
- 3.7 The more detailed elevation design of the proposed dwellings incorporates a reasonably constrained pallet of architectural features which is generally traditional in approach and which reflects the recently implemented development to the east. This will help to ensure the development assimilates well with the existing built environment. The application is supported with various plans showing detailed landscaping within the site; boundary treatments and an indication of materials of construction. To ensure a high-quality finish to the dwellings, a planning condition is recommended relating to materials of construction.

4. Neighbouring Amenity

- 4.1 The site adjoins a number of residential curtilages on its northern, eastern and western boundaries. To the east the site abuts newly constructed dwellings forming part of an allocated development off New Road the proposed layout shows that there would be suitable distances between the dwellings proposed in this application and those dwellings.
- 4.2 To the west the site abuts the curtilages of 63, 63a and 63b Shefford Road which are backland plots. The plans submitted show the retention of an existing established hedgerow on this boundary which acts as a screen from the development. Furthermore, the layout plan shows dwellings to have a side-on relationship to these properties which would ensure no significant or harmful overlooking or loss of privacy impact. The overall relationship between the proposed dwellings and those to the west of the site is therefore considered to be acceptable.
- 4.3 To the north the site adjoins the longer gardens of dwellings on Shefford Road which is also subject to an established hedgerow. The plans have been amended during the application process to show retention of that landscape feature. The distance between the proposed dwellings and those dwellings to the north is such that there will be no significant or harmful impact and Design Guide distances are complied with.
- 4.4 A single dwelling, 39a Shefford Road is located closer than the other dwellings to the north. The development would be visible from this property but the layout shows development would not result in direct overlooking and would not result in buildings being overbearing or causing a loss of light.

5. Highway Considerations

- 5.1 Representations are received raising concern in respect of the increase in vehicle movements associated with the development on the existing road infrastructure together with other approved development. The application is supported with a Transport Assessment which predicts an increase of 29 additional vehicle traffic movements in the morning peak period and 20 new trips in the evening peak period – such a level of new vehicle trips is not considered in the Transport assessment to be noticeable and would not result in a significant adverse impact on highway infrastructure. No objections to the

development are raised by the Highways Officer in respect of traffic movements of highway safety and the development is not considered to represent a severe impact in NPPF terms.

- 5.2 The plans submitted show a level of parking provision serving the proposed dwellings and visitor parking which is consistent with the Design Guide.
- 5.3 The Highway Officer indicates that as the width of pedestrian footways does not meet adoptable standards that the highway will not be adopted by the Council. Accordingly, alternative management arrangements will be required – this is likely to incorporate a Management Company - the cost of this passed onto residents. Details of this arrangements are proposed to be dealt with through the S106 agreement.
- 5.4 The implication of non-adoption of the highway then is that there is some uncertainty regarding arrangements for refuse collection – i.e. whether refuse will be collected by the Council or whether an alternative provider will collect refuse. Plans submitted with the application anticipate refuse bins stored within garden amenity spaces and space for bin collection within the highway – an arrangement common in most domestic environments. Tracking plans have been submitted which demonstrate how refuse collection vehicles will access the site to facilitate this and, in planning terms, refuse collection is able to be adequately dealt with.

6. Other Considerations

6.1 Drainage

Some representations are critical of the increased flood risk associated with the development. The Environment Agency flood risk maps indicate that the site is within flood zone 1 – a low area of fluvial flood risk and a very low risk of surface water flooding. In addition, flood risk has previously considered to be acceptable, having regard to Members resolution relating to LPA reference CB/16/04918/OUT. The Councils SuDS Team raise no objection and it is considered that an appropriate drainage strategy has been incorporated which will ensure that there will be no significant or harmful flood risk associated with the development.

6.2 Ecology

The Parish Council and some third parties are critical of the loss of green space, landscaping and the impact on ecology. As noted previously, the application has been amended during the application process to include retention of the existing planting to the northern boundary and the plans show retention of other landscape features to the other boundaries. In addition, no objections are raised by the Councils Ecology Officer subject to the inclusion of a planning condition requiring measures to ensure a net gain in biodiversity. In this respect, the development will not result in any material harm to ecology or biodiversity.

6.3 S106 agreement

Spending Officers were consulted and comments returned from Education, Leisure and Community Buildings. The following contributions are set out in the terms of legal agreement which is ready to be signed, should Members support the application.

Early Years £19,011.3
Lower £63,371
Middle £63,766.56
Upper £78,194.71

Village Hall contribution of £20,000 towards investment in the upgrade of Clifton Village Hall

- 6.4 Members will note that the Community Facilities contribution is reduced from that requested by the Spending Officer – this reflects the fact that within the previous resolution from Members relating to the 20 unit scheme (CB/16/04918/OUT) no contributions were requested or agreed in relation to this matter and, that education contributions have increased quite significantly (total previous education contributions was £163,158 which Members resolved to approve, total contributions now requested and agreed by the applicant is £244,343.57).
- 6.5 Third parties are critical of existing education capacity within the settlement and that the development will lead to capacity issues. No such objections are raised by the Education Spending Officer and it is considered that, subject to S106 contributions, that the development will result in an acceptable impact on existing education capacity. No contributions are recommended by the Leisure Spending Officer.

7. Whether the scheme is Sustainable Development

7.1 Environmental

The encroachment of built development beyond the settlement envelope results in a loss of open countryside which is a negative impact of the proposal. However the impact is not considered to be of such significance that it would warrant a reason to refuse planning permission. It will sit adjacent to existing residential properties on three of its four sides and is not used for agricultural purposes. While materially altering the character of the area the development will not appear isolated, relating well to the existing settlement, and it is considered that this is an instance where the impact of developing adjacent the settlement envelope does not result in significant or demonstrable harm. An appropriate size, scale and design of development is proposed and the development retains existing landscape features which will ensure retention of biodiversity which can be enhanced by the planning condition recommended by the Ecology Officer. Flood risk is neutral.

7.2 Social

The provision of housing is a benefit to the scheme which, together with the provision of affordable housing, should be given significant weight.

The site is within walking distance to an existing bus route and village services and the village is served by existing footways making the site accessible to the village core. The report has detailed that Clifton is regarded as a sustainable settlement and it is considered that it offers the services and facilities that can accommodate the growth from this scheme. Impacts on local infrastructure can be appropriately offset via financial contributions which the applicant has agreed to pay.

7.3 Economic

The economic benefits of construction employment are noted. As mentioned above financial contributions will be secured for education projects at schools in the catchment area of the site to help accommodate the level of growth anticipated from this scheme which is considered to be a benefit as is the contribution towards a community building.

8. **Planning balance**

8.1 A resolution by the Council to grant outline planning permission has been granted for development of this site – the principle of residential development is therefore acceptable. The application now seeks full planning permission and the plans and information provided indicates that a sustainable form of development will be secured.

Recommendation:

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

RECOMMENDED CONDITIONS

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

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 15151 (B) 004 Rev A.

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

- 3 No above ground building work shall take place until details of the existing and final ground, ridge and slab levels of the buildings hereby approved have been submitted to and approved in writing by the Local Planning Authority. 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 DM3 of the Core Strategy and Development Management Policies (2009).

- 4 No above ground building work shall commence until details of hard and soft landscaping (including details of retained and enhanced planting schemes at the northern, southern and western boundaries, boundary treatments and public amenity open space) together with a timetable for its implementation have been 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 DM3 of the Core Strategy and Development Management Policies 2009.

- 5 No above ground building works shall take place until a Landscape Maintenance and Management Plan for a period of ten years from the date of its delivery in accordance with Condition 5 has been 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 Management Policies 2009.

- 6 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (Revision B: February 2018 R-FRA-U8630PM-01-B) and Maintenance Plan (Revision 0: March 2018 R-MP-U8630PM-01-0).

Reason: To ensure adequate provision of drainage in the interests of flood risk.

- 7 No development shall take place, including any works of demolition, until a Construction Traffic Management Plan, associated with the development of the site, has been submitted and approved in writing by the Local Planning Authority which will include information on:
- (A) The parking of vehicles
 - (B) Loading and unloading of plant and materials used in the development
 - (C) Storage of plant and materials used in the development
 - (D) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
 - (E) Wheel washing facilities
 - (F) Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
 - (G) Footpath/footway/cycleway or road closures needed during the development period
 - (H) Traffic management needed during the development period.
 - (I) Times, routes and means of access and egress for construction traffic and delivery vehicles (including the import of materials and the removal of waste from the site) during the development of the site.

The approved Construction Management Plan associated with the development of the site shall be adhered to throughout the development process.

Reason: In the interests of safety, protecting the amenity of local land uses,

neighbouring residents and highway safety. The condition is pre-commencement given the need to understand construction management of the site before development commences.

- 8 Prior to commencement of any above ground building works details of the type and location of bat and bird boxes to be located at the site shall be submitted to and approved in writing by the Local Planning Authority. the details shall the carried out as approved before any dwelling at the site is occupied.

Reason: To ensure that the impact of the development on the ecological value of the site is reduced.

- 9 Prior to commencement of any above ground building works details of the materials to be used for the external walls and roofs of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of the visual amenities of the locality.
(Section 7, NPPF)

- 10 Prior to the commencement of any above ground building works details of the materials and specification for the shared hard surface access and other hard surfaces to private dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the appearance of the completed development and the visual amenities of the locality and highway/pedestrian access through and around the site.
(Section 7, NPPF)

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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