

Item No. 11

APPLICATION NUMBER	CB/17/05974/RM
LOCATION	Land at East Lodge Off Elliot Way Fairfield SG5 4AA
PROPOSAL	Reserved matters approval is sought for access, appearance, landscaping, layout and scale pertinent to Outline approval reference CB/16/03885/OUT.
PARISH	Fairfield
WARD	Stotfold & Langford
WARD COUNCILLORS	Cllrs Dixon, Saunders & Saunders
CASE OFFICER	Alex Harrison
DATE REGISTERED	22 December 2017
EXPIRY DATE	23 March 2018
APPLICANT	P.J. Livesey Living Space (5) Limited
AGENT	
REASON FOR COMMITTEE TO DETERMINE	Parish Council Objection - Major application.
RECOMMENDED DECISION	Reserved Matters - Recommended for Approval

Reason for Recommendation:

The principle of 18 two storey dwellings was approved under outline planning permission, reference CB/16/03885/OUT. It is considered that the matters relating to: layout, appearance, scale, landscaping, and access; are acceptable. The development would be sensitively designed within the setting of listed buildings, enhancing the locally distinctive character of Fairfield in accordance with the Fairfield Neighbourhood Plan and would not cause harm to the character and appearance of the area, in accordance with Policies within the Core Strategy and Development Management Policies (2009) and Policies within the Emerging Central Bedfordshire Local Plan. Furthermore, it is considered that the proposed development would not cause harm to the amenity and living conditions of neighbouring occupiers and is acceptable in the contexts of highway safety, car parking and landscaping. It is considered that the public benefits of the development would outweigh the less than substantial harm to designated heritage assets. For these reasons it is considered that the proposal is acceptable and there are no significant or demonstrable reasons identified to warrant refusal of the application.

Site Location:

The application site is an undeveloped parcel of land that sits generally north of the Fairfield settlement. Residential units are apparent immediately adjacent the site to the south and east (single dwelling known as East Lodge) and west (converted isolation unit at the former Fairfield hospital). Eliot Way, an un adapted access road runs to the south of the site. Open Countryside sits to the north and the site is open

on this boundary. The former isolation unit west of the site is a Grade II Listed building and the site is within its setting. Trees adjoining the west boundary of the site are protected by TPO.

The Application:

Reserved matters approval is sought for the erection of 18 two-storey dwellings and associated works at the site.

The matters submitted for approval are:

- layout;
- appearance;
- scale;
- landscaping; and
- access

The principle of the development was approved under outline planning permission reference CB/16/03885/OUT, which was granted by the Development Management Committee at the meeting of 04/01/2017.

The scheme proposes a mixture of detached and terraced dwellinghouses, with informal open space.

RELEVANT POLICIES:

National Planning Policy Framework (NPPF) (March 2012)

Core Strategy and Development Management Policies - North 2009

CS1 Development Strategy
CS14 High Quality Development
CS15 Heritage
CS16 Landscape & Woodland
CS17 Green Infrastructure
CS18 Biodiversity & Geological Conservation
DM3 High Quality Development
DM10 Housing Mix
DM13 Heritage in Development
DM14 Landscape & Woodland
DM15 Biodiversity

Fairfield Neighbourhood Plan

Policy 1 - Design and Character
Policy 2 - Improving Green Infrastructure
Policy 3 - Designated Local 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:

H1 - Housing Mix

T2 - Highway Safety and Design

T3 - Parking

EE1 - Green Infrastructure

EE2 - Enhancing biodiversity

EE4 - Trees, woodlands and hedgerows

EE5 - Landscape Character and Value

CC1 - Climate Change and Sustainability

CC5 - Sustainable Drainage

CC6 - Water Supply and Sewerage Infrastructure

HQ1 - High Quality Development

HQ5 - Broadband and Telecommunications Infrastructure

HE3 - Built Heritage

Supplementary Planning Guidance/Other Documents

Central Bedfordshire Design Guide (March 2014)

Sustainable Drainage Guidance SPD (May 2015)

Fairfield Parish Council Design Statement

Relevant Planning History:

Application Number	CB/16/03885/OUT
Description	Outline: 18 No. 2 storey family houses on area of open land, former gravel workings, to the north west of the junction of Hitchin Road and Eliot Way.
Decision	Grant Outline Planning Permission all matters reserved.
Decision Date	06/04/2017

Consultees:

Fairfield Parish Council Fairfield Parish Council has issued the following consultation responses.

First response on the original submission received dated 18 January 2018:

Fairfield Parish Council OBJECT to this application and if officers are minded to recommend it for approval Fairfield Parish Council request it is called into the Development Management Committee for determination. Brick, windows and external door appear not to be as per Fairfield Neighbourhood Plan Design Statement. No provision or allowance has been provided for the proposed cycle path along the Hitchin Road side of the development. There is concern over off street parking as three bedroom houses appear to have one garage parking with one offered place. There is no visitor parking provided.

Second response received dated 23 January 2018:

In addition to the comments on 18 January 2018 I would like to add: As this development will access Elliot Way, Fairfield Parish Council is disappointed the Elliot Way is still not adopted.

Third response upon the latest revised scheme received dated 24th April 2018:

Fairfield Parish Council has no objections.

Highways

The Council's Highway Officer on behalf of the Highway Authority has issued the following consultation responses.

First response upon the original submission dated January 2018:

As was mention at the outline application Eliot Way is private with the nearest public highway at the roundabout with Hitchin Road.

The RM application looks at the access junction and internal road layout, the junction access is 5.5m wide with 4.5m junction radii but only one side has a 2m wide footway shown where 2m wide footways are required on both sides of the carriageway in accordance with the 2014 Design Guide.

Once into the estate the carriageway narrows down to 4.9m and 6m where serving plots 7 to 12. The same problem exists here in that there is only a very limited section of 2m wide footway whereas this footway provision needs to be on both side of the carriageway and all around the turning areas.

No tracking drawings have been provided to ensure that

the Councils RCV (refuse collection vehicle) is able to exist and exit the site in a forward gear.

The estate road layout does appear to conform to a maximum speed limit of 20mph. All internal junction visibility splays should be 2.4m x 25m.

Parking should accord with the 2014 Design Guide in terms of occupant and visitor parking for both cars and cycles. This is 2 spaces for 3 bedroom dwellings and 3 spaces for 4/5 bedroom dwellings. With the exception of plots 1, 16 and 27 all the dwellings fail to meet the required number of spaces per dwelling through below standard garage sizes of 7m x 3.3m (internal) dimensions or a lack of spaces in the case of plots 7 to 12. Parking spaces in front of a garage should be a minimum of 6m and not overhang onto the 2m wide footways. No visitor parking spaces, 5 number spaces requirement, have been provided which should be evenly dispersed through the site and in the form of inset bays.

Adoptable standards should include a turning area for an 11.5m length refuse vehicle. Tracking diagrams should be provided to show the vehicle entering/exiting the site and the turning area and any junctions/bends within the site

A refuse collection point will be required at each dwellings frontage outside of any visibility splays and the public highway.

As submitted the layout fails to accord with the 2014 Design Guide and changes are required before the application could be supported in highway terms.

Comments and advice in this memo are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

The second response received dated 13th March 2018 states:

Thank you for the re-consultation, the following comments are based on drg's 106-00-1103 Rev B (house types), 106-00-1114 Rev A (footway route) and 106-00-1112 Rev B (refuse strategy).

The Councils GIS system shows that the section of Eliot Way is private and this has been confirmed with the Councils roads adoption officer who has advised that whist discussion has been made in which to seek

adoption of the roads, none have do date been carried out. Unless the applicant can provide evidence to the contrary this section of Eliot Way will be treated at being private.

The parking provision for the dwellings is now considered acceptable as garage sizes are now larger, plot 5 should be moved 0.4m further north to ensure the driveway I front of the garage is 6m in length. Visitor parking however is not evenly dispersed throughout the development. This would lead to indiscriminate parking around the turning head area and as such is not supported.

The issue of 2m wide footways has not been fully resolved by the applicant and whilst the footway through the green area (adj plots 14 to 16) can be accepted it should be 2m in width not 1.8m as shown. The turning head area and that leading up to the turning head still does not provide 2m footways around the entire area, so a redesign of this area will be required.

The tracking drawings as shown is acceptable but does not take into account the revisions that will need to be make to provide the 2m wide footway/ service margin around the entire turning head area.

As submitted the layout fails to accord with the 2014 Design Guide and changes are required before the application could be supported in highway terms. Content to have a meeting with the applicant to go through the highway requirements, this would be helpful as the road adoption officer has advised that footway/cycleway connections/links are required to make the private roads adoptable which could impact on the site frontage on Eliot Way.

Comments and advice in this memo are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

The Third response received dated 8th May 2018 states:

The amended layout (drg 106-00-1103-D) 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.

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.

Conditions should approval be granted

1/ No building shall be occupied until the junctions of the proposed vehicular access points with the existing 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/ The proposed vehicular access (private) shall be surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary, before the premises are occupied. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason

To avoid the carriage of mud or other extraneous material or surface water from the site into the highway so as to safeguard the interest of highway safety.

3/ 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:

- The parking of vehicles
- Loading and unloading of plant and materials used in the development
- Storage of plant and materials used in the development
- The erection and maintenance of security hoarding / scaffolding affecting the highway if required.
- Wheel washing facilities
- Measures on site to control the deposition of dirt / mud on surrounding roads during the development.
- Footpath/footway/cycleway or road closures needed during the development period
- Traffic management needed during the development period.
- 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.

4/ No building shall be occupied until the scheme for car parking (with access thereto) has been provided in accordance with the approved plans. The spaces shall thereafter be kept available for parking at all times.

Reason

To minimise the potential for on-street parking and thereby safeguard the interest of the safety and convenience of road users.

5/ Before development begins, a scheme for the secure and covered parking of cycles on the site (including the internal dimensions of the cycle parking area, stands/brackets to be used and access thereto), calculated at one cycle parking space per bedroom and one short stay spaces per unit, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

(See Notes to the Applicant)

Reason

To ensure the provision of adequate cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport.

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 Central Bedfordshire Council as highway authority will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.

Comments and advice in this memo are based on the information supplied in the planning application and accompanying documents/plans and no liability is accepted for any inaccuracy.

The Fourth response received dated 9th May 2018 upon the latest revised scheme states:

I can confirm that the layout as per drawing 106-00-1112-E would be acceptable as an adoptable layout.

Waste Services

The Waste Services Team have issued the follow consultation responses:

First response upon the original submission dated 25th January 2018:

Thank you for sending this application for our consideration. Please see our response below:

The Council's waste collection pattern for Fairfield is as follows:

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

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

Wherever possible, refuse collection vehicles will only use adopted highways. If an access road is to be used, it

must be to adoptable standards suitable for the refuse vehicle to manoeuvre safely around site (please see vehicle dimensions below). Typically, until roads are adopted, bins are to be brought to the highway boundary or a pre-arranged point. If residents are required to pull their bins to the highway, a hard standing area needs to be provided for at least 1 wheelie bin and a food waste caddy, in addition to 2 reusable garden waste bags. However, householders should not be expected to transport waste bins over a distance greater than 25m. Bins must not encroach on or cause a hazard or obstruction to the public highway.

Refuse Vehicle Dimensions

Eagle Elite 26 x 4 non rear steer, 11.5m long

Overall Length	11.500m
Overall Width	2.530m
Overall Body height	3.756m
Min Body Ground Clearance	0.309m
Track Width	2.530m
Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	11.550m

The Second response received dated 3rd May 2018 upon the latest revised scheme states:

Thank you for sending this RM application for our comments and apologies for the delay in responding.

The Design and Access statement details that bins will be presented at the kerbside, at the boundary of the property and highway, on the day of collection. This is in accordance with the Council's waste collection requirements so we have no issues with the proposal in that respect.

Although the refuse vehicle route has been tracked, it does not detail what size or type of vehicle this has been done for. Highways would need to confirm that they are satisfied with the vehicle tracking before any relevant condition can be discharged. The councils current contract vehicles are –

Eagle Elite 2 6x4 non rear steer, 11.5m long

Overall Length	11.500m
Overall Width	2.530m
Overall Body height	3.756m
Min Body Ground Clearance	0.309m
Track Width	2.530m

Lock to Lock Time	4.00s
Kerb to Kerb Turning Radius	11.550m

Bedfordshire Fire and Rescue Service and The Bedfordshire Fire and Rescue Service have issued the following consultation response:

A. Although this should normally be dealt with at Building Regulations consultation stage, I would like to draw to the developer's attention to the requirements of Building Regulations "Approved Document B (Fire Safety) Volume 1 - Dwellinghouses" or "Volume 2 - Buildings other than dwellings" as appropriate particularly "B5 - Access and Facilities for the Fire Service", to ensure compliance is met and specifically as below with respect to dwellinghouses:-

- Vehicle access for a pump appliance to within 45m of all points within a dwellinghouse;
- Turning facilities should be provided in any dead end access route that is more than 20m long. This can be by a hammerhead or turning circle, in accordance with the Vehicle Access Route Specification.

If the criteria for fire appliance access to within 45 metres as set out cannot be reached for residential premises, the Building Control and Fire Authority should be consulted at an early stage, as alternative arrangements may be acceptable. Typically, this is either because the new site is landlocked or because the new access is too narrow to get an appliance close enough.

The following options are available if access is within:-
 45 - <60 - Domestic/residential sprinklers required;
 60 - 90 metres - Domestic/ residential sprinklers and a fire hydrant installed by the access driveway;
 Over 90 metres - Not acceptable

B. We would ask that fire hydrants are installed in number and location at the developer's cost as follows:-
 On a residential site we will need one hydrant at least every 180 metres - with no property further than 90 metres from the nearest hydrant. The minimum flow should be as described in the National Guidance Document published by UK Water and the Local Government Association. The relevant section is copied below from Appendix 5:-

1. Housing

"Housing development with units of detached or semi-detached houses of not more than two floors, should have a water supply capable of delivering a minimum of eight litres per second through any single hydrant. Multi-

occupied housing developments with units of more than two floors, should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any single hydrant on the development".

In addition to the formal guidance or requirements, I would add that where possible consideration is given to access for the hydrants, so they are positioned on pathways/pedestrian areas, close to but not within vehicle standing areas where they are likely to be obstructed by parked cars/ lorries (e.g. in an area designated for parking or loading as part of the development).

Conservation Officer

The Council's Conservation Officer has issued the following consultation response:

No Objections.

Trees and Landscape Officer

The Council's Trees and Landscape Officer has issued the following consultation responses,

First response upon the original submission dated 22nd January 2018:

The site consists primarily of grassland along with boundary hedgeline planting. There is also an area of young trees located on the southern edge identified as G1 on the supplied Tree Constraints Plan. The Indicative Site Layout Plan 01 shows that this area of G1 will be removed to allow development.

Design and Access Statement indicates that the north boundary of this site will incorporate a bund with additional planting, this boundary planting would help screen development from the north viewpoint. We would look for bund planting to be designated as publicly maintained land as opposed to being integrated into individual garden plots. The Design and Access Statement states that a trees survey and Arboricultural Impact Assessment (AIA) will be supplied if this outline is approved, this should be provided in line with the specification detailed in BS5837 2012. Where any works are to encroach into root protection areas of trees to be retained we will require an Arboricultural Method Statement to show how damage to trees will be avoided.

Trees adjoining the west boundary of the site are protected by TPO.

Looking at the site and proposed layout I would suggest that there would be ample space to ensure that all new construction can be carried out well away from protected

trees on the west boundary and also ensure that issues of shading, leaf fall and overbearance that will result in demands for tree reduction work can be avoided in the future.

Full landscape and boundary treatment detail will be conditioned.

Looking at the proposals it is unclear whether there is a bund proposed along the north boundary although I can see there is proposed planting is it being retained and maintained as part of the public realm. If so then where is this strip accessed for maintenance?

Planting details would be acceptable but we still do not seem to have a Tree Protection Plan supplied showing how TPO trees close to the west boundary will be protected throughout development.

The second response received dated 21st February 2018 states:

We still do not seem to have any details relating to offsite trees protected by TPO and how they will be retained throughout development. I appreciate that the building works will be some way from them but the protection details would be to ensure plant, materials, level changes do not occur within RPA or close proximity to trees.

The third response received dated 19th April 2018 upon the latest revised scheme states:

Tree protection fence details for trees protected by TPO on west edge of site are now shown on plan 6456.PP.1.0 Rev D. These would be acceptable and will be put in place in the form and position shown on the plan prior to any development work commencing.

Landscape Officer

The Council's Landscape Officer has issued the following consultation responses.

First response upon the original submission dated 24th January 2018:

The comments and advice provided by the CBC Trees and Landscape Officer are fully endorsed.

It is disappointing that more existing trees cannot be accommodated within proposals.

In addition: The need to visually integrate the proposed development especially along the northern site boundary

is critical to ensure the proposed development and landscape mitigation compliments the existing urban and wider rural landscape setting.

- The northern site boundary must be maintained within the public realm to ensure appropriate management and longevity of mitigation planting.
- The proposed inclusion of a post and wire fence is a positive measure to protect planting but how future residents will treat this boundary is of concern, e.g. potentially introducing 6ft close bard timber fencing, if this boundary is not retained within the public realm - more information is required on how this landscape edge will be protected.
- The proposed woodland edge planting / trees must be extended along the entire length of the northern site boundary and proposed affordable units set well back from this landscape edge to ensure trees can mature to form an effective screen.
- An effective landscape / woodland edge screen to the northern boundary must be guaranteed, especially given the scale of proposed development, deciduous character of site and setting and increased openness of winter time views. With the inclusion of the proposed bund an absolute minimum 5 meter width is required to enable the proposed woodland edge planting to form an effective screen.
- The proposed tree mix to the northern site boundary requires more native tree species / types that will increase canopy cover whilst the woodland edge planting matures. Single birch or sorbus do not provide effective screen - this requires further consideration.
- More detail on the proposed bund is required including sections and make-up. Any bunds can also have significant ant effect on surface water and drainage therefore flow paths, management (e.g french drains), etc. need to be confirmed on plan.
- More information is required on how the proposed trees are to be planted in relation to the proposed bund / profile and drainage

The second response received dated 26th February 2018 states:

Clarification that there will be no bund to the northern site

boundary, confirmation on protection and management of hedgerow, and additional tree planting along this edged are appreciated.

But landscape mitigation planting is not extended along the whole length of the northern site boundary resulting in an exposed elevation and 1st storey window at plot 07.

- Mitigation must be extended along this northern edge in some form and utilising native planting.

The existing hedgerow to the eastern site boundary is shown beyond an 1.8m close boarded rear garden fence, this hedgerow forms part of the public realm associated with Hitchin Road / gateway to Fairfield and must be protected.

- If the 1.8m fencing is to be included along the eastern site boundary the opportunity to gap up the existing hedgerow beyond with hedgerow shrubs and additional hedgerow trees needs to be included in landscape proposals.

The third response received dated 30th April 2018 upon the latest revised scheme states:

Many thanks for opportunity to review amendments; the response from Aspect Landscapes regarding original landscape comments is helpful and appreciated.

Aspect's letter dated 15th Feb 2018 appears to describe submission of revised drawings 6456.PP.1.0C & 6456.PP.1C but submitted drawings appear to be numbered as revisions 'D'. The following comments relate to the submitted plans / Rev D's:

Re. points / responses covered in Aspect's letter:

2 & 3: The inclusion of a gate and timber rail fence along part of the internal edge of the northern boundary to protect planting is appreciated, but 1.8m high close boarded timber fencing is shown along the northern landscape edge associated with the affordable units - could this be revised to timber rail fencing please.

Aspect provide advice regarding future protection of the northern boundary planting:

'Permitted Development rights relating to the owners of these plots relating to the boundary treatments are removed, thereby ensuring that the boundaries are not moved and the enclosures remain as proposed. As I understand, PJ Livesey Holdings Ltd have successfully

implemented similar restrictions on other sites. This will ensure that the introduction of timber closed board fences is avoided. '

Is it possible to remove development rights to properties relating to this application?

4: Extended woodland edge and proposed planting is appreciated in terms of landscape and screening - the CBC Trees and Landscape Officer may have additional comments on proposed trees and shrubs.

Prunus spinosa is included in garden hedgerows / boundary hedgerow mixes but from experience Prunus spinosa has a tendency to sucker and become dominant therefore Crataegus monogyna would be a suitable alternative in Native Shrub Mix, Native Woodland Mix, Native Hedgerow Mix.

5 & 6: Confirmation that no bunding is proposed is appreciated and implications regarding planting to and around bund are no longer a concern.

In addition:

Landscape Management Plan: The LMP is appreciated

Gateway Planting: The main access to the application site is shown as including a 'gateway' formed of ornamental garden plants; this design is very elaborate and is in stark contrast to the more natural 'green shrubby' landscape character of other existing access gateways to Fairfield. The proposed design and mix needs to be simplified and accord with character of existing accessed to Fairfield.

Ecologist

The Council's Ecologist has issued the following consultation responses.

First response upon the original submission dated 22nd January 2018 states:

Having read through the CEMP it is very disappointing to see that the wording of the condition has been disregarded in that 'No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.' and yet the document states in 3.1.14' Due to construction timescales, areas of scrub, Bramble and young trees have already been subject to clearance works during March 2017'.

Planning condition 12 of the outline permission calls for a method statement for the creation of new wildlife features such as hibernacula and the erection of bird/bat boxes in buildings/structures and tree, hedgerow, shrub and wildflower planting. The submitted scheme offers hedgerow planting with wildflowers below, this is on a bank at the rear of gardens and whilst it is separated by a post and wire fence (according to landscape plan 6456.PP.1.0) there is always the risk that householders will use this boundary for dumping of garden waste so not an ideal scenario.

Three bat boxes are proposed to be incorporated into the new buildings and 3 bird boxes to be put on retained trees, considering this development is for 18 homes, 6 boxes falls far short of the 1 per unit expectation. Hedgehog holes in fences are welcomed but overall given the loss of the badger sett and semi-natural habitat on site the proposals are considered as mitigation and not demonstrating enhancement.

Therefore the applicant is requested to submit further details.

The second response received dated 12th March 2018 states:

Additional information provided is acceptable, no further comments.

The third response received dated 1st May 2018 upon the latest revised scheme states:

No Further Comments.

Lead Flood Authority

The Lead Flood Authority has issued the following consultation response:

We have no comment on this RM consultation but look forward to receiving the flood risk/drainage details required.

Bedford and River Ivel
IDB

No comment.

Sustainable Growth and
Climate Change

The Council's Sustainable Growth Officer has issued the following consultation responses.

First response upon the original submission dated 25th January 2018 states:

The submitted Statement in support of discharge of the

sustainability condition 13 proposes a fabric first approach to energy demand reduction and states that this approach delivers a higher energy reduction than achieved through installation of PV panels. It seems that there is a mistake in calculation: the energy demand reduction achieved by PV has not been calculated correctly as it has not been multiplied by a number of dwellings.

The DM policies DM1 and DM2 require dwellings to comply with current building regulations and source 10% of their energy demand from renewable sources. It is expected that energy demand of the dwellings is reduced by 10% and this can be achieved entirely through fabric first approach or installation of renewable energy technologies or through a combination of both approaches.

Calculations provided in the Statement indicate that the proposed fabric first approach will not achieve 10% reduction alone. Installation of a renewable energy technology is necessary to meet the policy requirements. Based on information provided, further 10,560 kWh energy demand reduction needs to be achieved.

More information is required on proposed renewable energy technology to comply with policy DM1. It is requested that Part L compliance sheets are attached to the revised report to demonstrate policy compliance.

The Statement includes water calculator output sheet that demonstrate that the dwellings will achieve the higher water efficiency standard of 110 litres per person per day and meets policy requirements.

The second response received dated 13th March 2018 states:

The updated calculations demonstrate that the development is able to achieve the overall 10% improvement through fabric and energy efficiency measures. As this approach meets the policy aim and meets the condition's requirements, the condition can be discharged.

The third response received dated 23rd April 2018 upon the latest revised scheme states:

No additional comments.

Affordable Housing

The Council's Housing Officer has issued the following consultation response:

I support this application as it provides for 6 affordable homes which reflects the affordable housing policy requirement of 35% and complies with permission CB/16/03885/OUT and subsequent S106 requirement (Dated 4th April, 2017). The supporting documentation does not outline the tenure of the affordable units. I would expect the tenure to comply with the S106 and provide for 63% affordable rent (4 affordable rent units) and 37% shared ownership (2 shared ownership units).

I would like to see the affordable units dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness. I would also expect the units to meet all nationally described space standards. We expect the affordable housing to be let in accordance with the Council's allocation scheme and enforced through an agreed nominations agreement with the Council. I am supportive of the application.

Other Representations:

Neighbours

Three Neighbour representations that have been received including a joint response and the comments and objections have been summarised as:

- concern in relation the impact of development upon Listed Buildings;
- two storey development is inappropriate in this location;
- the bulk and form of the development now proposed is out of keeping to the area;
- the layout proposed is unimaginative;
- the character of the houses do not relate to the character of the adjacent listed buildings.
- the height and scale of the buildings will diminish views from the listed buildings and more widely from the north;
- the gardens of Nos 1-6 Fairfield Mews are on lower ground than the application site, whereby the two storey buildings will dominate their outlook;
- it is requested for cross sections and site levels for the development to be provided to assess the impact of the development upon Nos 1-6 Fairfield Mews, particularly in reference to buildings on the western and north eastern side of the site;
- inadequate number of parking spaces provided;

- concern in relation to parking on the road along Eliot Way;
- concern in relation to a lack of lighting along Eliot Way in the context of on street parking and highway safety.

Fairfield Hall
Management Company

The representation received from the Fairfield Hall Management Company has been summarised as:

To ensure there is no confusion in respect of the management company responsible for maintaining the future landscaping and public areas of the application site. The Fairfield Hall Management Company are not responsible for the maintenance of the land being considered for development and any managing agent, even with a similarly sounding name, must therefore be a separate company.

Determining Issues:

The main considerations of the application are;

1. Principle
2. Affect on the Character and Appearance of the Area
3. The Historic Environment
4. Neighbouring Amenity
5. Highway Considerations
6. Other Considerations

Considerations

1. Principle

- 1.1 Outline planning permission was granted for the development of the site to provide the following:
- 1.2 *18 No. 2 storey family houses on area of open land, former gravel workings, to the north west of the junction of Hitchin Road and Eliot Way*
- 1.3 The principle of development is therefore established through the previous outline consent.
- 1.4 The Committee are advised that the Outline Planning Permission was granted subject to a number of Conditions. These conditions cover the following areas:
 - Implementation time limits
 - Environmental Construction Management Plan: Highway Safety;
 - levels
 - Hard and Soft Landscaping implementation;
 - Landscape Maintenance and Management Plan;
 - Restriction of Reserved Matters to ensure site access in taken from Eliot Way;
 - A requirement for reserved matters application to include:
 - a. Full engineering details of the access arrangements
 - Estate roads designed and constructed to a standard appropriate for

- adoption as public highway
 - pedestrian and cycle linkages to existing routes
 - vehicle parking and garaging in accordance with the Council's standards
 - cycle parking and storage in accordance with the Council's standards
 - Construction Traffic Management Plan
 - Materials Storage Areas;
 - Wheel Cleaning arrangements
 - a Residential Travel Plan
 - Surface water drainage;
 - Foul Water Strategy
 - Sustainable Construction
 - Restriction of development to a scale of no higher than two storeys;
 - Method Statement for the creation of new wildlife features; and
 - Construction Environmental Management Plan: Biodiversity.
- 1.5 It is not necessary or reasonable to repeat conditions that are already included on an outlined consent. Conditions on reserved matters need to explicitly relate to the details of that specific application.
- 2. Affect on the Character and Appearance of the Area**
- 2.1 The proposed residential scheme shows a mix of dwelling types and sizes which creates an appropriately diverse housing mix.
- 2.2 Fairfield Parish Council have objected to the development on grounds relating to the design detail provided not featuring brick, windows and external door detailing which is as prescribed within the Fairfield Neighbourhood Plan Design Statement. In this regard the Committee are advised of the wording of Policy 1 (a, b and e) of the Fairfield Parish Council, Neighbourhood Plan which states:
- 2.3 *"1a) The build form strategy for all new developments shall be in keeping with the design language described in the Fairfield Design Statement.
1b) The public realm elements of any new developments shall be in keeping with the existing public realm elements and materials described in the Fairfield Design Statement
1e) Particular regard will be had to the effect of any new development on the setting of the historic former hospital buildings and those within its curtilage which are closely related to them".*
- 2.4 [Please note that Policy 1 c and d relate to extensions and infill development only which it is considered are not relevant to the determination of this application].
- 2.5 The Committee are also advised of the wording of Paragraph 60 of the NPPF which forms a material consideration for the determination of planning applications, which states:
- 2.6 *"Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development*

forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness".

- 2.7 In this regard page 4 of the Fairfield Parish Council Design Statement states:
- 2.8 *"These details should be the first point of reference for the designer. It is not intended that a slavish replication of these details is necessary, however alternative proposals must be in keeping with the design language".*
- 2.9 *The details within the design guide describe and details building components such as window openings, doors, roof eaves and verges that are to be found in the Fairfield Park development together with some distinctive details from the listed hospital building.*
- 2.10 It is important to note that the Design statement although descriptive of the local character and architectural detailing, allows for alternative proposals, which is considered to accord with Paragraph 60 of the NPPF.
- 2.11 The proposed dwellings feature a limited pallet of materials and take architectural cues from the developments throughout Fairfield Park, which is considered to reinforce local distinctiveness. The materials include, buff brick, slate roofs and stone details. A condition would ensure that these materials would be of a suitable quality and character, to reinforce local distinctiveness.
- 2.12 The dwellings proposed do feature a contemporary design which has been achieved by using grey window frames, architraves and fascia boards, which would not replicate the white window frames and styles within the fairfield park development. However it should be noted that window openings and frames can be altered without planning permission under permitted development, whereby it is considered that a refusal of planning permission for the latter reason would not be reasonable and justified.
- 2.13 The development has been designed having taken account of the distinctive character of the Fairfield settlement with locally distinctive materials and detailing. It is considered that the proposed buildings would be of a high quality, reinforce local distinctiveness and would be in keeping with the design language within the Fairfield Design Statement.
- 2.14 In respect of layout the development has been orientated to provide a gateway from Eliot Way and attempts to limit its prominence from the north, east and west through the retention of existing and the provision of new soft landscaping at the perimeter of the site.
- 2.15 The development has included bespoke designs at the gateway and termination points and provides an informal "village green" at the heart of the design. It is considered that the layout and character of the development would be in accordance with the CBC Design Guide and the Fairfield Design Statement, featuring shared surface area through the site. This contributes to establishing a residential character to the development and in terms of establishing a sense of place through the street.
- 2.16 Notwithstanding the comments received in respect of the gateway

landscaping, the open space and landscape proposals are considered to be a benefit of this scheme providing visual mitigation as well as both informal open space and a walking link within the site.

- 2.17 For the reasons outlined above it is considered that the proposed development would be of a high quality design and would enhance local distinctiveness, in accordance with Policy DM3 of the Core Strategy and Development Management Policies 2009, Policy HQ1 of the submitted Emerging Central Bedfordshire Local Plan (April 2018) and Policy 1 of the Fairfield Neighbourhood Plan. Furthermore it is considered that the proposed development would accord with the Central Bedfordshire Design Guide and the Fairfield Parish Council Neighbourhood Design Statement.

3. The Historic Environment

- 3.1 The site sits adjacent to, and within the setting of the former isolation unit associated with the former hospital. The Local Planning Authority has particular duties when considering application that affect the setting of listed buildings. These are set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 55 states: "In considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority .. shall have special regard to the desirability of preserving the building or its setting.

- 3.2 The NPPF reinforces the statutory weight given to heritage assets. A para 129 it states that Local Planning Authorities should avoid or minimise conflict between heritage asset's conservation and any aspect of the proposal. Paragraph 132 states that when considering the impact of development.. great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. At para 134 it states that harm may be weighed against the public benefits of a proposal where the proposal will lead to less than substantial harm. Para 133 states that "where development will lead to substantial harm permission should be refused unless defined circumstances apply".

- 3.3 In considering this application for reserved matters and previous applications, the Council's Conservation Officer has raised no objection to the principle or the detail of the development proposed, in the context of the impact of the development upon built heritage assets, including the Grade II Listed former isolation unit and the Grade II Listed Fairfield Hospital.

- 3.4 It is considered that subject to appropriate high quality materials and finishes, which can be secured through condition, that the proposed development would cause less than substantial harm to the significance of the former isolation unit and the Fairfield Hall. It is considered that this harm is outweighed by the public benefits of the development, including: economic benefits through the provision of temporary construction jobs, as well as the social benefits of providing both market and affordable homes which make a positive contribution towards meeting the areas identified housing need and will add to the Council's five year land supply.

- 3.5 For the reasons outlined above, subject to conditions, it is considered that the

proposed development would accord with Paragraph 132-134 of the NPPF; Policies CS15 and DM13 of the Core Strategy and Development Management Policies (2009); Policy 1 of the Fairfield Neighbourhood Plan; and Policy HE3 of the submitted emerging Central Bedfordshire Local Plan.

4. Neighbouring Amenity

- 4.1 In respect of the impact on existing neighbouring amenity the development will abut the rear garden of East Lodge to the east of the site and the rear gardens of No. 1-6 Fairfield Mews (converted isolation unit). The layout has been designed to ensure that buildings would maintain an appropriate separation from the boundaries of these neighbouring dwellings. Furthermore it is considered that an acceptable separation between the windows of the proposed dwellings and both the windows and immediate private amenity spaces of East Lodge and Nos. 1-6 Fairfield Mews has been provided.
- 4.2 Although concern has been raised in relation to the ground level of the site in relation to neighbouring properties at 1-6 Fairfield Mews, it is considered that the development would not cause an unacceptable overbearing impact upon those residents. A condition has been imposed upon the outline planning permission that would ensure that the site and slab levels of the development would not result in an unacceptable impact.
- 4.3 For the reasons outlined above it is considered that the proposed development would not cause an unacceptable impact upon existing neighbouring dwellings in relation to outlook, privacy or overbearing impact. Thereby, it is considered that the proposed development would not cause harm to the amenity or the living conditions of any existing neighbouring dwelling, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009).
- 4.4 In respect of providing suitable living conditions for future occupiers, it is considered that the proposed dwellings would provide suitable external amenity space and that the windows to habitable rooms would provide a suitable degree of outlook and light. Furthermore, when considering the proposed location of windows it is considered that the proposed dwellings would benefit from a suitable standard of privacy, in accordance with the Design Guide.
- 4.5 For the reasons outlined above it is considered that the proposed development would provide a good standard of amenity for all existing and future occupiers in accordance with Paragraph 17 of the National Planning Policy Framework and would form High Quality Development in this respect in the context of Policy DM3 of the Core Strategy and Development Management Policies 2009; and Policy HQ1 of the submitted emerging Central Bedfordshire Local Plan. Furthermore; it is considered that the proposed development would be in accordance with the Central Bedfordshire Design Guide.

5. Highway Considerations

- 5.1 The proposed access from the site would be taken from Eliots Way; the Highway Authority have raised no objection to the detail of this access, a condition would ensure that the access is completed in accordance with the approved drawings and is appropriately surfaced and drained.

- 5.2 The proposed footpath link has been secured under the S106 agreement linked to the Outline Planning Permission and will link the access of the site to the existing footpath to the south of Eliot Way.
- 5.3 The road layout submitted is considered acceptable and is considered to be an adoptable standard of design, whereby the layout is Design Guide compliant. In relation to car parking provision the scheme is considered to provide design guide compliant on-plot provision for residential properties. It is considered that the road has been designed to allow for informal on street visitor parking which is considered to be acceptable in highway terms.
- 5.4 It is considered necessary, relevant and reasonable to impose conditions that would ensure the scheme for car parking has been provided in accordance with the plans and to ensure cycle parking is provided in accordance with the Design Guide.
- 5.5 For the reasons outlined above, it is considered subject to conditions that the proposed development would be acceptable in this context, in accordance with the Council's Design Guide; Policy DM3 of the Core Strategy and Development Management Policies (2009); and Policies T2 and T3 of the submitted emerging Central Bedfordshire Local Plan.

6. Other Considerations

6.1 Trees and Landscaping

- 6.2 The proposed development would safeguard existing trees on the periphery of the site and would provide a new landscaping strip to the north of the site beyond the curtilage of residential dwellings. It is considered that the detail of the landscaping scheme is appropriate, and would accord with Policies CS16 and DM14 of the Core Strategy and Development Management Policies 2009; and would accord with Policies EE4 and EE5 of the submitted Emerging Central Bedfordshire Local Plan 2018.

- 6.3 The Committee are advised that the Outline planning permission includes a condition to ensure the implementation and maintenance of both hard and soft landscaping.

- 6.4 It is however considered necessary, relevant and reasonable to impose a condition that would ensure the materials used for the construction of the walls at the site access would be of an appropriate colour, type and quality. Therefore subject to a condition it is considered that the proposed development is acceptable in this context.

6.5 Biodiversity

- 6.6 It is considered that the soft landscaping scheme proposed and the safeguarding of existing trees, in addition to the requirements upon the Outline Planning Permission, would ensure a net gain for biodiversity. The Council's Ecologist has raised no objections to the proposed development, whereby it is considered that the proposed development would accord with Policy CS18 of the Core Strategy and Development Management Policies 2009 as well as

Policy EE2 of the Emerging Central Bedfordshire Local Plan.

6.7 Human Rights and Equality Act.

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

Recommendation:

That Reserved Matters consent be **APPROVED** subject to the following conditions:

- 1 No works relating to the construction of buildings above ground level shall take place, notwithstanding the details submitted with the application, until details of the materials to be used for the entrance wall/piers; external walls; roofs; architraves; soffits; stone features and architectural detailing of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To control the appearance of the building in the interests of safeguarding the setting of statutorily listed buildings, safeguarding the visual amenities of the locality and to enhance local distinctiveness, in accordance with Policies CS15, DM3 and DM13 of the Core Strategy and Development Management Policies 2009; Policy 1 of the Fairfield Neighbourhood Plan; and Policies HE3 and HQ1 of the Emerging Central Bedfordshire Local Plan (April 2018).

- 2 Notwithstanding the approved plans, all new rainwater goods shall be black in colour and shall be retained thereafter.

Reason: To safeguard the setting of statutorily listed buildings and to enhance local distinctiveness, in accordance with Policies CS15, DM3 and DM13 of the Core Strategy and Development Management Policies 2009; Policy 1 of the Fairfield Neighbourhood Plan; and Policies HE3 and HQ1 of the Emerging Central Bedfordshire Local Plan (April 2018).

- 3 No building shall be first occupied until the junction of the proposed vehicular access within 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.

- 4 No building shall be first occupied until the proposed vehicular access has been surfaced in bituminous or other similar durable material (not loose aggregate) as may be approved in writing by the Local Planning Authority for a distance of 5m into the site, measured from the highway boundary. Arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To avoid the carriage of mud or other extraneous material or

surface water from the site into the highway so as to safeguard the interest of highway safety.

- 5 No dwelling hereby permitted shall be first occupied or brought into use until the parking scheme shown on the approved drawing: 106-00-1112-E has been completed. The scheme shall thereafter be retained for this purpose.

Reason: To ensure provision for car parking clear of the highway, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide and Policy T3 of the Emerging Central Bedfordshire Local Plan.

- 6 No dwelling hereby approved shall be first occupied until a scheme for the parking of cycles on the site has been submitted to and approved in writing by the Local Planning Authority. Each single dwelling hereby approved shall not be first occupied until the cycle parking to serving the occupiers of that dwelling, as outlined on the approved scheme, has been provided/completed. The cycle parking shall thereafter be retained for this purpose.

Reason: To ensure the provision of cycle parking to meet the needs of occupiers of the proposed development in the interests of encouraging the use of sustainable modes of transport, in accordance with Policy DM3 of the Core Strategy and Development Management Policies (2009), the Central Bedfordshire Design Guide and Policy T3 of the Emerging Central Bedfordshire Local Plan.

- 7 This approval relates only to the details shown on the submitted plans, numbers: 106-01-1001; 106-01-1002-A; 106-02-1001-A; 106-02-1002-B; 106-02-1003-B; 106-03-1001-D; 106-03-1002-B; 106-04-1001-A; 106-00-1114-C; 106-00-1112-E; CBO-0500-002; 106-00-1102-E; 106-00-1111-E; 106-00-1103-E; 6456.PP.1.1 Rev E; 6456.PP.1.0 Rev D; and 106-00-1001-A.

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

INFORMATIVE NOTES TO APPLICANT

1. This permission relates only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

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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