

## **Item No. 6**

<b>APPLICATION NUMBER</b>	<b>CB/18/02298/OUT</b>
<b>LOCATION</b>	<b>Land west of Hitchin Road Shefford</b>
<b>PROPOSAL</b>	<b>Outline Application for up to 150 New Homes and provision of a new lower school site following demolition of existing site buildings (including No19 Queen Elizabeth Close) (all matters reserved except access)</b>
<b>PARISH</b>	<b>Shefford</b>
<b>WARD</b>	<b>Shefford</b>
<b>WARD COUNCILLORS</b>	<b>Cllrs Liddiard &amp; Brown</b>
<b>CASE OFFICER</b>	<b>Martin Plummer</b>
<b>DATE REGISTERED</b>	<b>13 June 2018</b>
<b>EXPIRY DATE</b>	<b>12 September 2018</b>
<b>APPLICANT</b>	<b>Warden Developments Limited</b>
<b>AGENT</b>	<b>Phillips Planning Services Limited</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Departure to Development Plan</b>
<b>RECOMMENDED DECISION</b>	<b>Outline Application - Approval</b>

### **Summary of recommendation:**

The proposed residential development on the site represents a departure to the Development Plan whilst education provision on the site is considered to be acceptable and is capable of attracting great weight given the identified educational need. The site is considered to be a sustainable location for development with appropriate levels of access to the settlements services and amenities. The development will result in change to the countryside setting but any such harm would be outweighed by education provision and can be mitigated through landscape design. Matters relating to highway safety and capacity are acceptable and can be mitigated through condition. A range of other material considerations including neighbour amenity, ecology and flood risk are neutral whilst positive weight can be given to the provision of housing and a policy compliant level of affordable housing.

### **Site Location:**

The application site is located to the south and east of existing residential development within the settlement of Shefford. There is an existing vehicular access via Hitchin Road into the site which leads to commercial/agricultural buildings which are within the site and a large agricultural field which forms the western part of the site. The access also leads to Shefford Saints Football Club which is outside of the application site. To the north of the commercial/agricultural buildings is an agricultural field. To the

west of the site are the existing residential streets of Queen Elizabeth Close and to the south west Plough Lane and Harrow Way.

To the north is the site which Members resolved to approve outline planning permission for 37 new dwellings (LPA reference CB/17/02615/OUT) at 17A Ivel Road, subject to the signing of a S106 on 28 February 2018. To the north of the site also is the STMA (Shefford Trust Memorial Association) Land which forms an open recreational field and sport/community uses. To the north east is a residential street known as Squires Close.

To the south of the site is a narrow rectangular parcel of land accessed via Harrow Way which members approved planning permission for 6 new homes under LPA reference CB/16/05852/FULL on 31 January 2018.

To the east of the site is an open agricultural field and, beyond that and to the east of Hitchin Road is the medical centre and further residential development within Shefford. To the south of the site is the Shefford Football Club pavilion and football pitches. To the south of the site also is a large parcel of land which is allocated for residential development and primary school in the emerging Local Plan.

### **The Application:**

This is an outline planning application with all matters reserved except for access. The application seeks planning permission for up to 150 dwellings and includes a site for a new primary school.

The application proposes to utilise the existing vehicular access (which currently serves the football club) via Hitchin Road to serve both the proposed dwellings and school. There is currently a priority junction with this access road and Hitchin Road which the application proposes to alter to a round-a-bout.

The site for the proposed school is shown in the indicative plans to be located to the south east of the site and will replace the existing commercial/agricultural buildings. The site area for the school is approximately 2.1 ha.

The western part of the site is proposed to accommodate the housing and an indicative plan has been submitted showing how the quantum of development could be brought forward with an subsequent Reserved Matters application. The approximate area for the residential development is 5ha which, for a development of 150 dwellings will create a density of around 30dph. The indicative plan also shows a pedestrian/cycle access to the north of the application site through the STMA land which will provide an access via Elm Road to Ivel Road and the settlements shops/amenities which are to the north west. To the west of the site an access through QEC (Queen Elizabeth Close) is currently shown on the submitted indicative plans which will incorporate the demolition of a dwelling (no 19 QEC). To the south west boundary a vehicular access is proposed through Harrow Way leading to Harvest Rise and onto Ivel Road. The

applicant has also indicated their acceptance to provide access to the site allocated in the emerging Local Plan to the south of the application site.

## **RELEVANT POLICIES:**

### **National Planning Policy Framework (NPPF) (July 2018)**

#### **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 48) 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, HQ1, 2, 4, 11, EE1, 2, 3, 4, 5, 13, T1, 2, 3, 4, 5, 6, HA1, H1, 4.

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

Central Bedfordshire Design Guide (March 2014)

## **Relevant Planning History:**

The northern part of the application site together with the field to the east were promoted as part of the call-for-sites process of the former Mid Bedfordshire Local Plan process. That Local Plan was the subject of examination and the Planning Inspector made the following comments in relation to that proposed allocation:-

### *Land off Hitchin Road*

*Objection DD1805 argues that 9.4ha off land off Hitchin Road should be allocated for residential development in the Plan. It is suggested that the site could contribute about 250 dwellings to the supply of housing. Although not part of the original objection, in the light of evidence put forward by the Council the objector accepts that additional land to the south could also be developed for housing. Including this land would allow the site to accommodate another 150 or so dwellings. These could be provided during the plan period or at some time beyond 2006. In the event that the omission site is identified for new housing, the draft policy agreed with the Council – see Doc.ID189 – is therefore framed in terms of the provision of either 250 or 400 new dwellings. In the first instance I consider the former possibility.*

*Being in productive agricultural use (of which 80% is within the “best and most versatile” category), the land in question is a greenfield site that forms part of Shefford’s countryside setting. While the use of greenfield land for housing might be unfortunate, as previously mentioned the loss of such land is inevitable in Mid Bedfordshire if strategic housing requirements are to be satisfied. Moreover I accept that new housing at this location would be visually contained in the main by hedgerows and the local topography. To my mind built development would relate well to the existing form of the settlement. The site is not subject to any statutory amenity or landscape designations and is outside the floodplain. I am on no doubt that if it is deemed appropriate to identify a major new housing site at Shefford, this site has much to commend it. On balance I consider that it is marginally preferable to the site off Ivel Road previously considered albeit that the latter site merits a higher score in respect of overall accessibility.*

*Although the Council acknowledges that Shefford is a relatively sustainable settlement and that the site itself is a serious contender if additional housing land needs to be identified in the town, it sees no need for the site to be allocated at this time. Put simply, it is satisfied that sufficient provision is already made at Shefford and elsewhere in the District.*

The application site was also considered as part of the Site Allocations Development Plan Documents (April 2011) process, the Planning Inspector made the following observations:-

*Shefford. Sites H162/H222/H298. The principal choice faced by the Council was between the site allocated north of the River (Site HA10) and various combinations of sites to the east and west of Hitchin Road (H162/H222/H298). Essentially the Council gave more weight to the sustainable position of the former close to the centre of the settlement than to the enhanced range of educational and recreational provision offered by the latter sites. This was a judgement that it was entitled to come to on the evidence before it.*

There is no relevant planning history relating to the part of the site relating to the proposed residential element of the scheme.

There is various planning history relating to the area which contains the agricultural/commercial buildings the most relevant is as follows:-

Application Number	CB/13/00405/LDCP
Description	Lawful Development Certificate Proposed: To complete implemented planning permission CB/10/01132/REN for the 'Provision of new access to serve existing commercial/industrial depot and construction of roundabout on highway land'
Decision	Lawful Development – Proposed – Granted
Decision Date	03/04/2013

Application Number	CB/12/00924/FULL
Description	Erection of machinery and crop store
Decision	Full application - Granted
Decision Date	01/05/2012

Application Number	MB/05/1844/FULL
Description	Erection of agricultural storage building
Decision	Full application – Granted
Decision Date	17/02/2006

Application Number	MB/01/01601/LDC
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Description	Certificate of lawful use: commercial engineering haulage and hydraulic platform depot with ancillary offices, storage and parking
Decision	Lawful Development – existing – Granted
Decision Date	13/01/2003

### Consultees:

Sheffield Town Council	<p>Objection:-</p> <ul style="list-style-type: none"><li>- The site is outside the building envelope and not identified for development in the Local Plan;</li><li>- Harmful impact on heritage assets of archaeological significance;</li><li>- Submissions made by the applicant in the Planning Statement refer to appeal sites not relevant to Sheffield;</li><li>- Figures provided in the Transport Assessment are unrealistic given the reliance of residents of Sheffield on private vehicle;</li><li>- The Travel Plan incorrectly records the width of Ivel Road and insufficient information is provided in relation to electric vehicle charging points;</li><li>- Sheffield Health Centre will not be able to cope with additional capacity. It has a maximum capacity of 22,000 patients and currently has 18,000 on its patient list;</li><li>- Demolition of number 19 Queen Elizabeth Close is unnecessary and alternative accesses should be sought;</li><li>- Sewerage infrastructure is inadequate;</li><li>- Additional information is required in relation to reptiles;</li><li>- The site for the school is considered to be inadequate, not owned or funded by the development with a lack of parking/drop off points for parents.</li></ul>
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Archaeology	<p>The proposed development site contains substantial and well preserved remains of heritage assets of archaeological significance. Development of the site will have a negative and irreversible impact upon the surviving archaeological deposits present on the site, and therefore upon the significance of the heritage assets with archaeological. This does not present an over-riding constraint on the development providing that appropriate</p>
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measures to record and advance understanding of all of the heritage assets on the site. A planning condition is recommended requiring investigation and recording of any archaeological deposits that may be affected by the development, including post-excavation analysis of any archive material generated and the publication of a report on the works.

Anglian Water	No objection
Bedfordshire Fire and Rescue	No objection – refer the Council to building regulation requirements for fire engine access and hydrants.
Bedfordshire Police	The layout is acceptable subject to adequate lighting for any communal un-adopted areas.
Flood Risk Team	Planning permission could be granted subject to planning conditions requiring submission of a detailed surface water scheme for the site and associated methodology.
Highways	<p>No objection</p> <p>The Technical Note submitted with the application acknowledges that vehicular speeds are in excess of the posted speed limit. The 85<sup>th</sup> percentile of northbound vehicular speed is 51mph coupled with southbound vehicular speeds have an 85<sup>th</sup> percentile of 50mph clearly demonstrate that the roundabout should be provided prior to the occupation of any dwelling or the school for the purpose of traffic calming by lowering speeds.</p> <p>The Technical Note explains that vehicular access could come through Harrow Way – this land is not included within the application site.</p> <p>Consideration has been given to the provision of a footway on the western side of Hitchin Road into the settlement however there is insufficient space for such a footway.</p> <p>Planning conditions are included requiring the provision of the round-a-bout prior to occupation of any building and, the provision of pedestrian crossing.</p>
Housing Officer	Development The application is supported as it provides for policy compliant levels of affordable housing (35%) – the tenure mix should be 73% affordable rent and 27% intermediate.

The Officer recommends the following mix of units within an subsequent reserved matters application:-

Affordable rent  
1 bed flat 10%  
2 bed flat 10%  
2 bed house 45%  
3 bed house 30%  
4 bed house 5%

Shared ownership  
1 bed flat 10%  
2 bed flat 25%  
2 bed house 35%  
3 bed house 30%  
4 bed house 0%

Affordable units should be dispersed throughout the site and integrated with the market housing to promote community cohesion & tenure blindness.

IDB

No comment

Landscape Officer

The Officer acknowledges that detailed layout and landscape matters are reserved but nonetheless raises concerns in relation to the scale and design of the development in the indicative drawings. Greater provision for green infrastructure should be provided – the hedgerow to the eastern boundary should be retained and included within the public realm. The southern boundary should include planting designed to maximise the ecological potential of the railway corridor habitats, with landscaping extending from this feature.

If progressed, the detailed landscape scheme would need to include more sympathetic designs for the public open space, to include feature trees of stature and potentially Public Art. Consideration should be given to the relationship between the residential development and the football club to the south and a landscape gateway feature to the housing development.

MANOP

Provision for older people should be accommodated within the site.



Sport England No objection subject to planning conditions being attached to the grant of permission ensuring that the sports pitches associated with Shefford Sports Club and Shefford Town Memorial Ground are maintained during implementation of the development

Pollution No objection – conditions recommended

The site may be subject to commercial noise impacts with the potential to harm end user amenity due to the presence of a working farm and sports ground/clubhouse adjacent to the application site. Therefore, in order to assess the need for acoustic mitigation a noise condition is recommended.

The site may have been impacted by contamination as identified in the submitted report, ground investigations should be undertaken to ensure the health of end users is protected as proposed.

Public Art Officer Given the scale of development the provision of public art is required and a planning condition is recommended in relation to this.

Tree and Landscape Officer No objection

The majority of the site consists of agricultural land with boundary hedgelines and trees with a number of mature Oaks just offsite of the north boundary which are protected by Tree Preservation Order and could potentially be affected by the proposals.

A pre-development Tree Survey and Report and Tree Protection Plan is required that identifies all trees and hedgelines on and offsite that could affect or be affected and the position of tree protection fencing.

The proposal will require the removal of a number of trees primarily in the area proposed for the new school - the majority of which are low category trees and could be mitigated for in a conditioned landscape scheme.

Indicative Site Plan Layout identifies an area to the north of the site which will incorporate a SUDS feature - care must be taken in constructing the SUD to ensure that any

excavation works or soil level changes are outside the root protection areas of protected Trees.

The Indicative Site Plan shows space to the north west and south west boundaries for tree planting which appears to be retained as part of the public realm which is positive although central areas of the site are limited for planting opportunity.

Travel Plan Officer No objection subject to a planning condition requiring a travel plan for the new school.

Self and Custom Build No objection - there are opportunities to provide self and custom build plots at the application site.

Sustainability Officer No objection – a planning condition is recommended requiring dwellings designed to avoid overheating; 10% energy demand of the development delivered from renewable or low carbon sources and, water efficiency to achieve water standard of 110 litres per person per day.

Strategic Growth The site was considered unsuitable for housing as part of the call-for sites process of the current Local Plan:-

"Fails at Stage 2 based on an overall consideration using planning balance. The following issues have been identified: the main issue being in relation to access and relationship to Shefford. The site is separated from Shefford in the east by an agricultural field and although the area to the west adjoins Shefford access from this area to Hitchin Road is constrained. In terms of access, the access would be limited to a narrow portion of land fronting Hitchin Road."

Waste Services Officer Refers to the standards for refuse bins and the standard charges for provision of such bins.

### **Spending Officers**

Library Spending Officer A financial contribution of £31,500 towards new shelving and supporting facilities at Shefford Library

Community Building Spending Officer A contribution of £201,906 to Phase 2 of the STMA refurbishment requires initial ground works and 3 pitched roofs. The intention being to re-orientate the space to provide the following

- The front bar will be made into a games room;
- This then frees up the existing snooker room with the intention of creating a family-friendly area consisting of a back bar, a coffee shop and seating area and potentially a small area for 2 or 3 computers/consoles

Much needed quality hireable space will be provided.

Education Spending Officer Recommends the following contributions: -

Early Years	£183,123.72
Primary	£854,577.36
Secondary	£954,102.24

Support for this development is reliant upon the provision of the primary school site which is included within the planning application. This site for the school must meet the specification as defined by CBC, which includes but is not limited to being free of any contamination, flat, drained, serviced, accessible and clear of any existing buildings.

The Early Years and Primary contribution would be put towards the build of the primary school within the development site.

A significant amount of housing has been recently completed, with planning permission secured or sought for several sites and sites within the emerging local plan in the education catchment area of Shefford, Clifton and Campton.

This totals some 956 dwellings which will produce 58 pupils per year group, based on a pupil yield of 0.06 pupils per year group, per dwelling. This equates to 2 forms of entry.

There is little or no existing spare capacity at the three lower schools in the area (Shefford Lower, Clifton All Saints Academy and Campton Lower School). The following figures are correct as at October 2018.

Shefford Lower – net capacity 450, number of pupils on roll 379 – 7 children currently on waiting lists for places in years 2 and 3.

Clifton All Saints – net capacity 150, number of pupils on roll 123 – 5 children currently on waiting lists for places in reception and years 2, 3 and 4.

Campton Lower – net capacity 110, number on pupils on roll 152 – 15 children currently on waiting lists for places in years 2 and 3.

None of the 3 existing schools in the area can be expanded to provide the level of places which will be needed to manage demand from housing development.

2.1ha of Land is required for a new 2 form of entry primary school within the Campton, Shefford and Clifton area.

A primary school site has been requested following the executive decision on 7 August 2018 to actively promote that any new schools that will be built will be primary or secondary, as part of the Schools for the Future project.

The Secondary school contribution would be invested in facilities which provide places in academic years 7 – 13 to serve the development. This is likely to be at Robert Bloomfield Academy, Samuel Whitbread or Pix Brook Academy.

Leisure Spending Officer Recommends a playing pitch contribution of £48,722 to be split equally between STMA (new and upgrade of existing sports facilities) and Shefford FC extension and improvement of facilities.

The Alternative Indicative Layout shows a reduced provision of play facilities against those identified in the Design and Access Statement. The statement proposes 2 LEAP play areas within open space areas whilst the amended plan shows the southern open space reduced in size and the LEAP reduced to a LAP play area. Should this be approved, an additional contribution toward off-site play provision should be sought in lieu of the lost on-site LEAP.

A contribution of £55k toward improvement of play

facilities in Shefford would be sought.

NHS

No representations received to date, Members will be updated through the late sheet.

**Other Representations:**

Neighbours

2 representations in support of the application

Letter of support from Shefford Sports and Community Association – improved vehicular access to sports facilities; improved location for school compared to that allocated in the emerging Local Plan; no harmful or landscape impact. They request contributions towards the football club.

92 representations in objection summarised as follows:-

- The site is not allocated for housing in the Development Plan;
- No need for more housing;
- The provision of a school does not outweigh harm and inappropriateness of the development;
- Harmful impact on archaeology;
- Site has failed the assessment stage of the emerging Local Plan;
- Harmful landscape impact and too dense a development;
- Unnecessary to demolish no19 QEC given other access arrangements available;
- Harmful impact on character of no 19 QEC associated with the development;
- Harmful impact on residents of no 19 QEC in terms of noise, disturbance and increased crime with new access;
- Harmful increase of traffic movements in Shefford and the A507;
- Harmful impact on ecology including bats;
- Inappropriate location for new school;
- Insufficient infrastructure for more homes in the settlement;
- Inadequate capacity for sewerage.

**Determining Issues:**

The main considerations of the application are;

1. Principle
2. Sustainable location for development
3. Highway Considerations
4. Affect on the Character and Appearance of the Area
5. Neighbouring Amenity
6. Other Considerations
7. Sustainable development

## **Considerations**

### **1. Principle**

- 1.1 The application site falls outside of the settlement envelope of Shefford and the development, comprising of residential development, represents a departure to the Development Plan
- 1.2 The Council have identified and demonstrated in the latest Annual Monitoring Report a five year supply of housing and it is noted that the position in respect of five year housing has now been extensively tested now at appeal. Accordingly, the most important housing policies in the Core Strategy relevant to this application, including CS1, CS5 and DM4 are not considered to be out of date and the presumption in favour of sustainable development in paragraph 11 of the NPPF is not therefore engaged.
- 1.3 In relation to the proposed school policy DM4 sets out that the provision of development for education will be supported within the settlement envelope where there is up to date evidence. Where no land is available within the settlement, a site adjacent to the settlement may be granted planning permission. Such development should make the best use of available land and lead to more sustainable communities. Policy CS3 seeks to ensure appropriate infrastructure for communities (including education) by identifying appropriate sites for new facilities to meet identified needs and shortfalls in accessible locations that are well served by sustainable modes of transport.
- 1.4 The NPPF also attaches importance to ensuring that a sufficient choice of school places is available to meet the needs of existing communities – Local Authorities are required to be proactive and positive in meeting this requirement. The NPPF goes on to state that Local Planning Authorities should give great weight to the need to create, expand or alter schools.
- 1.5 There is an established need for primary education provision within Shefford as set out in the consultation response from the Education Spending Officer – existing schools are at or over capacity which, together with the growth in Shefford and the surrounding area has placed additional pressure on existing resource. Officers understand that the Councils Education Team have explored opportunities to secure land for education provision within and surrounding Shefford but none has been identified.

- 1.6 The site for the proposed school shares the access to the existing sports facilities associated with Shefford Football Club and is located to the east of that facility. The site for the proposed school is approximately 250m metres from the existing southern and western boundary of Shefford. The site where the school is proposed to be located currently forms an agricultural / commercial operation and represents previously developed land.
- 1.7 Given the need for school provision in the settlement and, whilst there is some separation to the settlement boundary of Shefford, in overall terms, the provision of the proposed school on this site is considered to be consistent with policies CS3 and DM4 of the Core Strategy. Great weight can be attached to the provision of a school as proposed in this application.
- 1.8 The principle of residential development on this site therefore represents a departure to the Development Plan whilst the provision of the school is consistent with policies CS3 and DM4.
- 1.9 The application site has not been allocated in the emerging Local Plan for development and was not considered to be appropriate for housing development as part of the site assessment process of the Local Plan. That being said, as noted above, as part of the review of the Mid Beds Local Plan 2005, the Planning Inspector considered that the site had much to commend it for purely residential development. The only reason that the site was not allocated at that time seems to revolve around the lack of need for housing, at that time. The proposed allocation at that time did not include education provision. The Inspectors decision is a material consideration to which some weight can be attached.
- 1.10 As noted previously there is a site allocated for residential development and a school in the emerging Local Plan. That site is to the south of this application site and a planning application has very recently been submitted in relation to that site. That allocation is material to the determination of this application but only limited weight is attached given the stage of preparation of the Local Plan. In any event, the site for the proposed school in this application is considered to have a more appropriate relationship and access arrangements with Shefford compared to that in the emerging Local Plan. Furthermore, the site allocated in the emerging Local Plan incorporates a large wooded area which will inevitably come under pressure to accommodate both housing and school provision in the allocation. The provision of a school on the site subject of this planning application has significant advantages over that in the emerging allocation. This application and the adjoining allocated site in the emerging Local Plan must, of course, be considered and determined on their merits.

## **2. Sustainable location for development**

- 2.1 Shefford is designated as a minor service centre - it is a settlement that contains a number of services including schools, supermarket, local shops, petrol station, restaurant/pubs, local businesses, industrial area, community halls and public transport availability via buses. It is considered that, as a settlement, Shefford should be regarded as being sustainable.
- 2.2 Settlements that are classified as Minor Service Centres are considered to be able to accommodate housing and other settlement related development commensurate with the scale of the settlement, taking account of its role as a local service centre. The scale of this proposal is considered to be reflective of the scale of development of the area.
- 2.3 The site for the proposed school is located in the position of the existing commercial / agricultural buildings. Those buildings are not of a particularly high quality appearance which compliment the edge of settlement/rural setting and there is some merit in their removal. The site is not an allocated employment site in the Development Plan but the loss of land for employment provision does result in some conflict with the principles in the NPPF relating to encouraging and supporting economic development. Whilst this matter does slightly weigh against the development proposal, given the existing quality of the employment provision the weight attached is limited and, in any event would be clearly outweighed by education provision (as associated employment provision).
- 2.5 Although it is acknowledged that the residential element of the application is contrary to policy DM4 it is also considered that the individual merits of this site and its relationship to the existing settlement (as explained in more detail below) are such that the loss of open countryside in this instance is not considered to result in a significantly harmful impact on the character and appearance of the area. This is particularly apparent as the application site has an appropriate relationship with existing residential development to the west and south.
- 2.6 Great weight can also be given to the provision of land for a primary school – as noted above, there is a clear identified need for this land. The applicant has agreed to transfer this land to the Council through the S106 agreement. The precise wording of this transfer is subject to agreement but there is agreement that the school will be transferred within a period of time once the planning permission has been granted (a one year period has been muted), allowing sufficient time for the site to be cleared prior (as per the advice from the Education Spending Officer noted previously) to it being transferred to the Council.
- 2.7 The Town Council are critical of the siting of the school and relationship with the existing Town. The school is nonetheless extremely well related to serve the proposed residential development and the site allocated for development within the emerging Local Plan. The site is within reasonable walking and cycling



distance of the central and western parts of Shefford and will provide education provision for future and existing residents.

- 2.8 Weight can also be given to the benefit of the site providing what could be shown to strengthen the Council's housing land supply, particularly in respect of the provision of affordable housing, where 35% of the proposed development is allocated for affordable housing – a position which is fully supported by the Housing Officer. The detailed housing mix will be considered at reserved matters stage but the Housing Officer has provided a steer on the mix of housing nonetheless.
- 2.9 The plans submitted show that there will be appropriate levels of access between the site and existing highway infrastructure to encourage pedestrian and cycle access to the towns amenities. The indicative plans currently show a pedestrian/cycle access to the north of the site through the STMA land – the applicant has committed to provide a financial contribution towards the provision of hard surfacing and lighting to create that access (the precise level of contribution is subject to agreement). Local Members have indicated to Officers that the STMA are supportive of the planning application and access proposals and a letter acknowledging this from the STMA is anticipated. This access will enable access via Elm Road and Ivel Road into the town centre and will also enable ease of access of future residents to the community facilities within the STMA land.
- 2.10 To the south of the site the plans submitted show that the site will link into the existing road infrastructure within Harrow Way and the applicant has provided confirmation in writing that this access is also deliverable.
- 2.11 Planning conditions can be attached with any grant of planning permission requiring that, within any reserved matters applications, the layout incorporates these linkages within the application site.
- 2.12 The planning application and indicative plans currently show the demolition of no19 QEC (Queen Elizabeth Close) and the provision of a cycle and pedestrian route through that existing cul-de-sac onto Ivel Road. This will provide an additional access for future residents to access the town centre amenities via Ivel Road and also allow existing residents of the Close and the wider community to access through the application site, school and medical centre off Hitchin Road. The applicant is the owner of no19 and the delivery of this access can be delivered through planning condition or S106 agreement.
- 2.13 The provision of the access through QEC has generated a very high level of representation from the residents of that street. Concerns are predominantly raised by residents of the Close in respect of the change in character of the cul-de-sac through removal of the dwelling and likely increased footfall within the Close and the associated increase in noise, general disturbance and increased

risk of crime associated with the nature of such an access. Concerns have also been raised in relation to the impact on a protected species – bats.

- 2.14 A Bat Survey has been submitted in respect of no19 QEC. There is evidence that bats, a European protected species are using the building. The demolition of no19 QEC will clearly result in a demonstrable impact on this protected species and a license will be required from Natural England. Having regard to National Planning Practice Guidance, from a planning perspective, consideration is required to be given as to whether the Habitat derogation tests will be satisfied as part of that process which are:-1) the activity is for a certain purpose, for example it's in the public interest 2) there is no satisfactory alternative that will cause less harm to the species 3) the activity doesn't harm the long-term conservation status of the species. The Council also has a duty under the Natural Environment and Rural Communities (NERC) Act 2006 to have regard, in the exercise of its function, the purpose of conserving biodiversity.
- 2.15 The principles of good urban design encourages permeability, access and the NPPF does encourage developments to be designed such that reliance on private vehicles are reduced and use of sustainable modes of transport are encouraged. The planning application as currently proposed would create adequate and appropriate opportunities to access the amenities, services and facilities in Shefford by walking and cycling by use of the access to the north via the STMA land, to the south via Harrow Way and the east via the Hitchin Road junction. In this instance there are considered to be satisfactory alternatives and the demolition of no19 QEC is not necessary to make the development acceptable in planning terms. Allied to this is the significant level of representation in objection from residents of QEC which has also be taken into consideration.
- 2.16 There is agreement from the applicant not to demolish no19 QEC and a planning condition is recommended stating no access between the application site and QEC is to be created. The applicant has been requested to provide an updated indicative layout plan to reflect this position which will be available for Members consideration at the Committee meeting.
- 2.17 It is therefore considered that while the proposal is 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. The development site is considered to be sustainably located with appropriate access arrangements. 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. Highway impact and access**

- 3.1 The plans submitted show that access to the site will make use of the existing access which serves the football club. As proposed, the access will continue to serve the football club together with the new school and residential development. The plans submitted show the provision of a round-a-bout to replace the existing junction arrangement. Considerations relating to other access arrangements are discussed above.
- 3.2 Having regard to the advice from the Highways Officer, the proposed development is acceptable in highway safety and access terms on the basis that the round-a-bout is implemented prior to any occupation of the development and provision of pedestrian crossings. The applicant has agreed to the planning conditions recommended by the Highway Officer in this respect. There will inevitably be increased traffic movements associated with the development however no objections are raised by the Highway Officer in relation to capacity of existing highway infrastructure and the development does not represent a severe impact in NPPF terms.
- 3.3 Some representations have raised concern in relation to parking provision for the school site – this is a detailed matter that will need to be considered at reserved matters stage. Nonetheless, the site for the school is considered to be well positioned to encourage walking and cycling and the size of the site for the school meets with the Council's standard requirement where appropriate parking provision can be provided,

#### **4. Character and Appearance**

- 4.1 The proposed development, comprising of up to 150 dwellings on the western part of the application site will inevitably and fundamentally alter the character of the site. As part of the Planning Inspectors' considerations of the 2005 Mid Beds Plan (and acknowledging this incorporated a larger site to that proposed in this application) the following comments were made:-

*...I accept that new housing at this location would be visually contained in the main by hedgerows and the local topography. To my mind built development would relate well to the existing form of the settlement. The site is not subject to any statutory amenity or landscape designations and is outside the floodplain.*

- 4.2 The application is supported by a Landscape and Visual Impact Assessment which sets out whilst there will inevitably be a change to land use and built form, given the contained nature of the site, any built development would be visually well contained limiting the effects on views to a localised context. The main effects relate to views from a relatively few adjoining residential properties, with little effect on publicly accessible locations. The proposal incorporates offsets, buffers and planting which would help further reduce the effect on views.

- 4.3 The Landscape Officer comments that there are some concerns with the indicative plans as currently submitted and the lack of green infrastructure to boundaries and within the site but also acknowledges that landscape and layout are reserved. The indicative layout demonstrates one way in which the development may come forward and incorporates green infrastructure to the north, south and eastern boundaries. An open space margin to the north is shown which, in effect, creates an enlargement to the STMA land – this is logical and creates contiguity of open space. The spacing to the south of the site is more limited but, nonetheless, will allow good separation to the football club facilities. Within the site the built form is more predominant and spaces / opportunities for soft landscaping is more limited. However, given the position reached above in relation to no19 QEC, there will be a much greater opportunity to shift open spaces provision within the site and, in overall terms, Officers are of the opinion that an appropriate layout and landscape strategy is capable of being provided within any subsequent reserved matters planning application.
- 4.4 The site for the proposed school will incorporate the removal of a number of existing buildings which, as noted previously, do not complement the countryside setting. There are however also a number of trees within this area which will be removed – no objections are raised by Landscape Officers in relation to this matter and none of those trees are protected. Replacement trees can be provided on the site which is a matter to be determined under any reserved matters application where landscaping will be considered.
- 4.5 The proposed school will inevitably alter the character of this part of the site but it is nonetheless considered that the site for the school is, in principle appropriate for a school and will not result in significant harm to the countryside setting subject to detailed design which is reserved.

## **5. Neighbour amenity impact**

- 5.1 On the basis of the indicative plan, it appears that the site is capable of accommodating the number of dwellings proposed, the detailed relationships between proposed dwellings would be a matter for consideration under a reserved matters application however it is considered that it would be possible to design a scheme which would not have adverse impact on neighbouring amenity. There are some changes in levels within the site which any future reserved matters application will need to consider in respect of neighbour amenity relationships and Officers are mindful of the considerations relating to this matter on the site to the south (LPA reference CB/16/05852/FULL). A planning condition is recommended requiring the submission of detailed levels information with the submission of any reserved matters application to better understand the relationship with existing residential dwellings.
- 5.2 The site for the proposed school forms a reasonably close relationship with existing dwellings to the south east of the site – there is however sufficient space

proposed to adequately accommodate those neighbouring properties, the detail of which will be considered at reserved matters stage.

- 5.3 In relation to the impact of construction and construction vehicles on neighbouring properties in terms of noise and general disturbance. Development of this scale and given the relationship with existing dwellings will inevitably result in a degree of impact on existing residents. However, subject to the imposition of a planning condition requiring detailed construction management plans, is such that such harm will not be significant or to such an extent as to warrant the refusal of the application.

## **6. Other considerations**

### **S106 and financial contributions**

- 6.1 Significant weight should be given to the National Planning Policy Framework, which calls for the achievement of the three dimensions of sustainable development: economic, social and environmental. It is considered that Policy CS2 of the Core Strategy for the North is in accordance with the National Planning Policy Framework. This states that developers are required to make appropriate contributions as necessary to offset the cost of providing new physical, social, community and environmental proposals. Emerging policy in the Local Plan sets out a similar requirement.

- 6.2 As noted above in this report, great weight can be given to the provision of land for school provision and the applicant has agreed to transfer that land as part of the S106 in the manner previously suggested.

- 6.3 In addition to this the applicant has agreed to the financial contributions as recommended by the Education Spending Officer. Having regard to these contributions and other contributions that have either been secured or are anticipated to come forward as part of previously approved (but not yet implemented development) there is in the region of £3million to go towards the design and building of the new primary school.

- 6.4 In addition to the provision of land for the school and education contributions, the applicant has also committed to the financial contributions recommended by the Leisure, Libraries and Community Buildings Spending Officers as detailed above. The contributions towards playing pitches will be shared equally between the STMA and Shefford Football Club. A contribution will also be provided in relation to an access path and lighting within the STMA land.

### **Flood Risk and sewerage**

- 6.5 The site is within flood zone 1 – a low area of fluvial flood risk. The Environment Agency mapping indicates that there are some very small areas of low-medium flood risk from surface water to the east and south west boundaries. However, neither the Environment Agency nor the Councils Flood Risk Team object to the

application on these grounds. The Flood Risk Team recommend the inclusion of a planning condition requiring a detailed strategy to deal with surface water drainage. The plans submitted show space for green infrastructure and a basin is indicated for sustainable drainage features which will slow the movement of water within the site whilst providing biodiversity and water cleaning benefits.

- 6.6 Some representations including the Town Council raise objection in relation to sewerage – objections to the planning application from Anglian Water have not been received and this detailed matter will be the subject of separate agreement with that consultee.

### **Ecology**

- 6.7 Representations received raise concerns with the impact on protected species associated with development and, in particular, the impact on bats using no19 QEC as a roost. This matter is discussed above.
- 6.8 No objections to the development proposal are raised by the Councils Ecologist and it is recommended that a reptile survey is undertaken which will inform a strategy to address mitigation, compensation and enhancement.

### **Heritage Assets**

- 6.9 There are no above ground historical assets within the vicinity of the application site which will be harmfully impacted by the proposed development. The Councils Archaeologist has identified potential impact on heritage assets of archaeological significance but these are not considered as a constraint to development subject to imposition of a planning condition.

### **Vehicle charging**

- 6.10 The Town Council refer to the lack of information relating to vehicle charging for electric vehicles. This is a detailed matter which is not relevant to this outline planning application which considers the principle of development. Nonetheless, a planning condition is recommended requiring information in relation to this matter.

### **Impact on existing playing pitches**

- 6.11 As noted above, to the north and south of the application site are playing pitches. The comments from Sport England in relation to ensuring the continuation of access to sports pitches are acknowledged. A planning condition is recommended to ensure access to sports pitches are not impact or constrained by implementation of the development. A planning condition is also recommended requiring the commissioning of a ball strike assessment which will help determine the layout of the development and any necessary mitigation.

### **Impact on future residents - noise**

- 6.12 The application site for the proposed residential development is located to the north of Shefford Saints Football Club which includes the clubs pavilion which

is used for social events. Consideration should therefore be given to the relationship of the proposed dwellings with that facility in terms of noise and general disturbance. The plans submitted show one particular relationship with Shefford Saints Football Club which shows that the nearest residential unit will be around 35 metres from the building. The Pollution Officer raises no objection subject to planning condition requiring a noise survey – any layout submitted at reserved matters stage will need to take into account such information.

### **Best most versatile land**

- 6.13 The NPPF sets out that that local planning authorities should take into account the economic and other benefits of BMV agricultural land. Furthermore it is stated that where the development of significant agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality in preference to that of higher quality. Having regard to the Natural England agricultural land classification the site is classified as grade 2.
- 6.14 The consideration of BMV land is referred to in the considerations of the allocation of the site as part of the Mid Beds 2005 Local Plan as detailed above albeit this assessment was in a different national planning policy context. Nonetheless, the Inspectors comments remain material and, whilst there will clearly be a loss of agricultural land the loss will not be significant.

### **Contamination**

- 6.15 Part of the application site incorporates existing agricultural / commercial uses – the information provided indicates that there is some potential for contamination and it is therefore necessary and reasonable for further investigatory work and necessary mitigation to be required through a planning condition. Any subsequent remediation of contamination would be a benefit to the environment and human health.
- 6.16 **Human Rights and Equality Act issues:**  
Based on information submitted there are no known issues raised in the context of Human Rights / The Equalities Act 2010 and as such there would be no relevant implications.

## **7. Conclusion**

- 7.1 The residential development of the application represents a conflict with the Development Plan whilst the provision of a school is considered to be acceptable. There is a need for education provision and the proposed school represents a material consideration of great weight. The development in this respect accords with the social objective of the NPPF.
- 7.2 Whilst the Council can demonstrate a five year supply of housing, the provision of housing and a school in what is considered to be a sustainable location weighs in favour of the application. Positive weight can also be attached to

employment provision in the short term associated with construction work and long term employment associated with the school. Future residents will also help support existing services and facilities. The development therefore accords with the economic objective of the NPPF.

- 7.3 Some harm to the countryside setting is acknowledged as is the loss of trees. Other environmental matters including ecology, flood risk, contamination and noise impact are either neutral, positive or are able to be considered at reserved matters stage. Replacement planting, open space provision, relationships with neighbours will all be considered within an reserved matters application.
- 7.4 In the overall balance of considerations, the material considerations weighing in favour of the application, including the great weight attached to education provision, are considered to outweigh the conflict with the Development Plan and harm identified.

**Recommendation:**

That Planning Permission be APPROVED subject to the signing of a S106 agreement and the following planning conditions:

**RECOMMENDED CONDITIONS / REASONS**

- 1 Application for the approval of the reserved matters shall be made to the Local Planning Authority within three years from the date of this permission. The development shall begin not later than two years from the final approval of the reserved matters or, if approved on different dates, the final approval of the last such matter to be approved.

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

- 2 **No development shall take place until approval of the details of the appearance, landscaping, layout and scale of the development within that area (herein called “the reserved matters”) has been obtained in writing from the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: To comply with Part 3 Article 6 of the Town and Country Planning (General Development Procedure) Order 2015.**



**This condition is pre-commencement as the reserved matters are required to be considered and determined prior to commencement of any development.**

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 03 A, 18-04, 18-07.

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

- 4 The number of dwellings approved on the site shall be restricted to 150 as shown on the approved application form.

Reason

To ensure that adequate provision of housing is provided which is justified having regard to the conflict with policy DM4 of the CSDMP 2009.

- 5 **No demolition or development shall take place until a written scheme of heritage asset resource management (SHARM); that includes provision for archaeological investigation, post excavation analysis and publication, has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only be implemented in full accordance with the approved archaeological scheme.**

Reason:

**To ensure adequate provision and recording of heritage assets of archaeological significance in accordance with section 16 of the National Planning Policy Framework.**

**This condition is pre-commencement as a failure to secure appropriate historic building recording and archaeological investigation in advance of development would be contrary to paragraph 141 of the National Planning Policy Framework which requires developers to record and advance of understanding of the significance of any heritage assets affected by development before they are lost (wholly or in part).**

- 6 **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) Loading and unloading of plant and materials used in the development**
  - (B) Storage of plant and materials used in the development**
  - (C) The erection and maintenance of security hoarding / scaffolding affecting the highway if required.**
  - (D) Wheel washing facilities**

**(E) Footpath/footway/cycleway or road closures needed during the development period**

**(F) Traffic management needed during the development period.**

**(G) 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.**

**This condition is pre-commencement as it requires consideration of the impact on the highway network and highway safety prior to any development taking place.**

- 7 No building shall be occupied until the junction of the proposed vehicular access (roundabout) drg no.353607 03 Rev A with the highway has been constructed in accordance with the approved details.

**Reason**

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

- 8 No dwelling or school shall be occupied until a zebra crossing in the immediate vicinity of the roundabout northern arm has been provided in accordance with details of a scheme to be submitted to and approved by the Local Planning Authority. Any Statutory Undertakers equipment or street furniture shall be re-sited to provide an unobstructed footway to the crossing.

**Reason**

**In the interests of road safety and pedestrian movement.**

- 9 **No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (June 2018) and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the system will be constructed, including any phasing, and how it will be managed and maintained after completion. The scheme shall be implemented in accordance with the approved final details before the development is completed, and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.**

**Reason:**

**To ensure the approved system will function to a satisfactory minimum standard of operation and maintenance and prevent the increased risk of flooding both on and off site, in accordance with para 103 of the NPPF.**

**This condition is pre-commencement as it requires consideration and assessment of below ground works prior to any building work commencing on site.**

- 10 **Prior to commencement of any development a Phase 2 investigation report for the entirety of the application site and a Remediation Method Statement should the Phase 2 report discover the need for remediation shall be submitted to and approved in writing by the Local Planning Authority. The development will thereafter be carried out in accordance with the approved details.**

**Reason**

**To ensure that any contamination associated with the site is adequately dealt with and mitigated in the interest of human health and the environment.**

**This condition is pre-commencement as it requires consideration of an assessment prior to any disturbance to the land prior to building works commencing on site.**

- 11 Prior to occupation of the development, a Validation Report shall be submitted to and approved in writing by the Local Planning Authority. A Validation Report by means of which the effectiveness of the remediation implemented by any Remediation Method Statement shall be demonstrated to the Local Planning Authority (to incorporate photographs, waste transfer notes and depth measurements). Any unexpected contamination discovered during works should be brought to the attention of the Planning Authority.

Reason

To protect human health and the environment

- 12 Within the submission of any reserved matters planning application, a scheme for protecting the proposed dwellings from noise and providing adequate ventilation shall be submitted and approved in writing by the local planning authority. The submitted scheme shall be based upon a noise assessment of the existing noise generating uses adjacent to the site including the football pitches and buildings associated with Shefford Football Club to the south of the application site. None of the dwellings hereby approved shall be occupied until such a scheme has been implemented in accordance with the approved details. The development shall be implemented and retained in accordance with those details thereafter.

Reason

To protect human health and residential amenity in accordance with Policy DM3 of the Core Strategy and Development Management Policies Document (2009).

- 13 Within the submission of any reserved matters planning application, the layout of the development shall be designed to provide the following:-
- Vehicular, pedestrian and cycle access within the application site and Harrow Way;
  - Pedestrian and cycle access within the application site and the land to the north known as the Shefford Town Memorial Association Land;
  - Pedestrian and cycle access within the application site and the wooded area (which is located between the application site and the area of land allocated for development in the emerging Local Plan) to the south east of the application site.

Reason

To ensure that adequate accesses are brought forward and delivered at reserved matters stage in the interests of encouraging sustainable modes of transport.

- 14 No access (vehicular, pedestrian, cycle or other) shall be created between the application site and Queen Elizabeth Close.

Reason

The provision of such an access as shown on the indicative plans submitted with the planning application is not necessary to make the development acceptable in planning terms.

- 15 Within the submission of any reserved matters planning application, details of areas for play in the forms of LEAPS and LAPS including the equipment, furniture, surfacing and boundary treatment to be installed, shall be submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be implemented prior to occupation of the 50th dwelling being first occupied and retained thereafter.

Reason: To ensure the provision of adequate play and children's recreation facilities.

(Section 8, NPPF)

- 16 Prior to first use of the primary school an updated full residential travel plan has been submitted to and approved in writing by the Council, such a travel plan to include details of:

- Predicted travel to and from the site and targets to reduce car use
- Details of existing and proposed transport links, to include links to both pedestrian, cycle and public transport networks

- Proposals and measures to minimise private car use and facilitate walking, cycling and use of public transport
- Timetable for implementation of measures designed to promote travel choice
- Plans for monitoring and review, annually for a period of 5 years at which time the obligation will be reviewed by the planning authority
- Details of provision of cycle parking in accordance with Council guidelines
- Details of marketing and publicity for sustainable modes of transport to include site specific welcome packs. Welcome packs to include;
  - Walking, cycling, public transport and rights of way information. Site specific travel and transport information
- Travel vouchers
- Details of relevant pedestrian, cycle and public transport routes to/ from and within the site
- Copies of relevant bus and rail timetables
- Details of the appointment of a travel plan co-ordinator

No part of the development shall be occupied prior to implementation of those parts identified the Travel Plan as capable of being implemented prior to occupation. Those parts of the approved

Travel Plan that are identified as being capable of implementation after occupation shall be implemented in accordance with an agreed timetable and shall continue to be implemented as

long as any part of the development is occupied.

Reason

To promote sustainable modes of travel and to reduce the potential traffic impact of the development on the local highway network.

- 17 Prior to commencement of any above ground building works, details of electrical wiring to accommodate facilities for charging plug-in and other ultra low emission vehicles for 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 ensure the development protects and exploits opportunities for the use of sustainable transport modes for the movement of people in accordance with section 4 of the National Planning Policy Framework.

18 Within the submission of any reserved matters planning application for residential development at the site, details of a ball strike risk assessment together with any necessary mitigation measures including and necessary management and maintenance shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To provide protection for future occupants of the development and their property from potential ball strike from the new playing field or sports facility.

19 **Prior to commencement of development, a scheme setting out continued use and operation of the existing playing fields for sports provision, as shown on drawing 18-04 shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall ensure that the sports facilities remain at least as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality to the existing sports facilities and shall include a timetable for implementation. The approved scheme shall be implemented and complied with in full throughout the implementation of the development.**

Reason

**To protect playing fields and sports facilities from damage, loss or availability of use during implementation of the development.**

**This condition is pre-commencement because the information is required to ensure that existing playing pitches and sports provision will not be materially impacted by the development.**

20 Within the submission of any reserved matters planning application relating to the site, section drawings between the site and existing built development adjacent to the boundaries will be submitted to and approved in writing by the Local Planning Authority. The development will thereafter be carried out in accordance with the approved details.

Reason

To ensure adequate information is provided at reserved matters stage in the interests of ensuring appropriate relationships with neighbouring buildings and living conditions.

21 **No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority. The EDS shall include the following**

- a) Review of the site potential and constraint, to be informed by up to date survey information including a reptile survey**
- b) Purpose and conservation objectives for the proposed works**
- c) Detailed working methods to achieve stated objectives including locations of integrated bird and bat boxes to be erected in accordance with RSPB and BCT guidelines on appropriate scale maps and plans**

- d) Details of lighting considerations to prevent disturbance to bats.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with proposed phasing of development.
- g) Persons responsible for implementing the works
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures

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

**Reason**

To ensure adequate provision for ecology in terms of securing net gains.

The condition is pre-commencement as additional survey work is required to be undertaken in relation to reptiles.

**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.
  
1. To satisfy planning condition 9 the following should be considered and taken into account:-
  1. Drawing RAB1924B/001 shows MHS06 pipe diameter 194mm controlling at 75l/s into the pond. This pipe diameter should be 75mm, flow of 2.5l/s from Micro drainage output. This needs correcting for a build drawing.
  2. CBC work on a climate change allowance of 40% for residential development (FRA 3.6, 4.2, 5 quotes 30%. 5.4.4 quotes 40%), there is also the 10% urban creep allowance to be included (as per CBC SuDS SPD). this should be noted for the storage calculations and changed in the FRA for clarity.
  3. Land drainage Consent under the Land Drainage Act 1991 must be secured to discharge surface water to the existing watercourse/ditch, and details of this provided with the full detailed design. An easement should be provided on the developable side of the watercourse to allow for access for maintenance, this should be 9m but may depend on the maintenance requirements considered appropriate.

**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 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**DECISION**

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